

## VA ENVIRONMENTAL MANAGEMENT PROGRAM

1. **REASON FOR ISSUE.** To update the Department of Veterans Affairs (VA) Environmental Management Program policy.
2. **SUMMARY OF CONTENTS/MAJOR CHANGES.** This revised directive:
  - a. Consolidates content from six VA directives and five VA handbooks listed below into one document and rescinds duplicate policies and procedures.
  - b. Updates the policies, responsibilities and other content to reflect current Federal mandates.
  - c. Adds electronics stewardship-related responsibilities in Section 3.b.(11) and electronics stewardship procedures in Appendix D.
3. **RESPONSIBLE OFFICE.** Office of Management (004), Office of Asset Enterprise Management (044).
4. **RELATED DIRECTIVES/HANDBOOKS:** None.
5. **RESCISSIONS:** VA Directive 0057, VA Environmental Management Program, dated January 15, 2010; VA Directive and Handbook 0058, VA Green Purchasing Program, dated July 19, 2013; VA Directive and Handbook 0059, VA Chemicals Management and Pollution Prevention, dated May 25, 2012; VA Directive and Handbook 0062, Environmental Compliance Management, dated January 10, 2012; VA Directive and Handbook 0063, Waste Prevention and Recycling Program, dated October 17, 2011; VA Directive and Handbook 0064, VA Environmental Management Systems, dated January 10, 2012.

**CERTIFIED BY:**

**BY DIRECTION OF THE SECRETARY  
OF VETERANS AFFAIRS:**

/s/  
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## VA ENVIRONMENTAL MANAGEMENT PROGRAM

### 1. PURPOSE.

- a. This directive updates VA environmental management policies to comply with Federal mandates and achieve VA's environmental management goals. It provides direction to the Department in the development and implementation of each organization's specific environmental programs. In this directive, "environmental programs" includes: green purchasing, chemicals management and pollution prevention, electronics stewardship, environmental compliance, waste prevention and recycling and environmental management systems. Policies for the management of energy and water, fleet and sustainable buildings are covered in separate directives.
- b. This directive applies to the Department and its facilities and operations, including those located in leased space.

### 2. POLICY.

- a. **General.** VA policy is to fulfill its mission to serve Veterans in a sustainable manner. VA must conduct business in a way that protects human health and the environment; is technically, economically and fiscally sound; and ensures continual improvement. Environmental considerations and accountability are fundamental and integral components of policies and guidance, planning, operations and management processes across all VA missions, activities and functions. The responsibility for a successful environmental program lies with every VA employee and also with VA contractors in accordance with the Federal Acquisition Regulation (FAR). Therefore, one objective of this directive is to ensure every VA employee is aware of their role in the success of this effort.
- b. **Green Purchasing.** (See also Appendices A and B – Green Purchasing Procedures and Sample Justification Forms for Exemptions, respectively.)
  - (1) VA policy is to procure environmentally preferable or sustainable products and services. This policy applies to all types of acquisitions and procurements (e.g., micro-purchases paid for by purchase cards and other contract actions). Before a decision is made to purchase a product or service, all efforts should be made to buy only what is needed and reuse products and materials to the maximum extent practicable. In this directive, the term "green purchasing" is used synonymously with "environmentally preferable purchasing" and "sustainable acquisition/procurement."
  - (2) VA policy is to advance sustainable acquisition by ensuring that at least 95 percent of new contract actions (including task and delivery orders) for products and services (including construction) are energy efficient (ENERGY STAR or Federal Energy Management Program (FEMP)-designated), water efficient, biobased, environmentally preferable (e.g., Electronic Product Environmental Assessment Tool (EPEAT)-registered or

non-toxic or less toxic alternatives), non-ozone depleting or made with recovered materials (i.e., contain recycled content), where such products and services meet agency performance requirements. The required products in contract actions for services include products that are: delivered to the Government during performance; acquired by the contractor for use in performing services at a Federally-controlled facility; or furnished by the contractor for use by the Government.

- (3) VA policy is to procure construction materials and other products and services with lower embodied emissions, in accordance with Federal Buy Clean policy in applicable Executive Orders (EOs), which at the time of this directive's publication is [EO 14057](#), "Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability."
  - (4) Green Purchasing Program (GPP). The green purchasing-related content in this directive constitutes the VA GPP. VA policy is to implement the VA GPP and consider developing and implementing supplemental Administration or Staff Office GPP procedures. VA and supplemental GPPs must incorporate and be consistent with all Federal green purchasing mandates and other requirements and include:
    - (a) Procurement preferences for environmentally preferable and Federally-mandated green products and services;
    - (b) Monitoring and reporting of compliance with GPP requirements;
    - (c) Developing corrective actions for instances of noncompliance with GPP requirements; and
    - (d) Establishing and conducting green purchasing training programs.
- c. **Chemicals Management and Pollution Prevention.** (See also Appendix C – Chemicals Management and Pollution Prevention Procedures.) VA policy is to reduce or eliminate the quantity of toxic and hazardous chemicals and materials acquired, generated, used and/or disposed, to the extent possible.
- d. **Electronics Stewardship.** (See also Appendix D – Electronics Stewardship Procedures.) In managing the Department's electronic assets, VA policy is to acquire electronic products that are EPEAT-registered, ENERGY STAR, FEMP-designated, FEMP low-standby power products and meet other emerging energy efficiency and sustainable acquisition requirements, as applicable; enable the ENERGY STAR and other power management features on agency computers, monitors and other electronic equipment (as appropriate per VA's healthcare mission); establish and implement policies to extend the useful life of its electronic equipment, to the maximum extent practicable; and use environmentally sound practices with respect to the disposition of electronic equipment that has reached the end of its useful life (e.g., by reusing equipment

or using recyclers certified to the Responsible Recyclers (R2) or e-Stewards standards).

- e. **Environmental Compliance.** (See also Appendix E – Environmental Compliance Procedures.) VA policy is to meet or exceed the requirements of all applicable Presidential EOs and Federal, state and local environmental laws and regulations. (A partial list of key Federal mandates can be found in Section 5 below.)
- f. **Waste Prevention and Recycling.** (See also Appendix F – Waste Prevention and Recycling Procedures.) VA policy is to reduce, reuse and recycle materials and waste and to maintain life-cycle cost-effective waste prevention and recycling programs to the maximum extent practicable. In accordance with applicable EOs, which at the time of this directive's publication is EO 14057, VA policy is to divert at least 50 percent of nonhazardous solid waste (including food and compostable material) and construction and demolition waste and debris by fiscal year 2025 and 75 percent by fiscal year 2030.
- g. **Environmental Management Systems (EMSs).** (See also Appendices G and H – Environmental Management Systems (EMS) Procedures and Implementing EMSs at Appropriate Organizational Levels, respectively.) VA policy is to implement EMSs at appropriate facilities and appropriate organizational levels as the primary management approach for addressing environmental compliance and the environmental aspects of VA's operations and activities, including the environmental aspects of energy and transportation functions. An EMS may be an organizational EMS, a multi-site EMS or a facility EMS.
- h. **Reporting Requirements.** VA policy is to ensure that all Federal and internal reporting requirements are met, including data calls and other information requests from the Office of Asset Enterprise Management (OAEM) that provide information needed for Department-level consolidated reports relative to the content of this directive.

### 3. RESPONSIBILITIES.

- a. **Assistant Secretary, Office of Management (OM) and Chief Financial Officer,** in addition to the responsibilities in Section 3.b below, shall establish and oversee implementation of Department-wide environmental policy and request funds to facilitate Department-wide implementation of environmental policy (including salary dollars for Administration and Staff Office environmental staff).

**b. Under Secretaries, Assistant Secretaries and Other Key Officials, shall:**

- (1) Comply with applicable environmental requirements (i.e., legislation, regulations, EOs and other Federal, state and local mandates and VA directives and policies).
- (2) Establish the overall policy and guidelines to implement environmental programs within their management areas, consistent with this directive.
- (3) Implement environmental programs that comply with this directive (including procedures in the appendices); evaluate them to identify and correct program issues; and ensure staff are trained on environmental mandates, programs and the environmental compliance aspects of their jobs and report any observed environmental noncompliance issues to their supervisors. Program evaluations, whether comprehensive or targeted on individual aspects of environmental programs, are recommended every 1-3 years, with the frequency scaled to the level and nature of program issues identified.
- (4) Consider including measures for successful implementation of environmental programs in performance standards and evaluations of senior officials in the Administrations and Staff Offices, other Key Officials and other appropriate personnel.
- (5) Request funds (including, salary dollars for environmental staff) to ensure compliance with all applicable environmental requirements.
- (6) Implement and maintain EMSs at appropriate facilities and organizational levels. (See also Section 4.b. and Appendices G and H – Environmental Management Systems (EMS) Procedures and Implementing EMSs at Appropriate Organizational Levels, respectively.)
- (7) Provide staffing to comply with applicable environmental requirements and implement the policies and goals of this directive, including :
  - (a) A full-time environmental manager at each Veterans Integrated Service Network (VISN) and each Veterans Health Administration (VHA) medical center/health care system;
  - (b) A full-time environmental manager at each Veterans Benefits Administration (VBA) Area Office or equivalent support provided through a contract/cross servicing agreement;
  - (c) A full-time environmental manager for each National Cemetery Administration (NCA) District or equivalent support provided through a contract/cross servicing agreement;

- (d) A full-time procurement analyst in the Office of Acquisition and Logistics to develop and maintain Department-level green purchasing policy, guidance, training and outreach; and
  - (e) A full-time or collateral-duty Recycling Coordinator at each VHA medical center/health care system, VBA Area Office and NCA District.
- (8) Ensure their acquisition, construction and logistics staff incorporate environmental policies (e.g., green purchasing, waste diversion and related tracking and reporting, etc.) into applicable contract actions, specifications and training.
- (9) Green Purchasing. (See also Appendices A and B -- Green Purchasing Procedures and Sample Justification Forms For Exemptions, respectively.)
- (a) Ensure their organizations implement and perform periodic management reviews of the VA GPP and any supplemental Administration or Staff Office GPPs per Section 2.b.(4) above;
  - (b) Consider including measures for successful implementation of VA and any supplemental GPPs in performance standards and performance evaluations of senior Administration and Staff Office officials and other appropriate personnel;
  - (c) Request funds in Administration and Staff Office budgets to ensure compliance with all applicable green purchasing laws, regulations and EOs. For example, funds could be used for training and outreach efforts, program evaluations that monitor compliance and corrective actions;
  - (d) Provide staffing and resources to implement the green purchasing goals of this directive and support the efforts of any VA environmental working groups;
  - (e) Incorporate green purchasing into Administration and Staff Office EMSs;
  - (f) Develop, implement and maintain a green purchasing training and awareness program, as appropriate;
  - (g) Update and maintain specifications to incorporate Federal green purchasing mandates and remove any language prohibiting or otherwise precluding the use of sustainable products and services;
  - (h) Ensure that contracting, procurement and logistics staff and procurement request originators incorporate all applicable green purchasing requirements into their contracts and other procurement

activities. Procurement request originators may include purchase card holders, acquisition personnel, technical requirements or specification writers, program/project managers or Contracting Officer Representatives (CORs);

- (i) Ensure that Contracting Officers (COs) and other acquisition/procurement staff:
  - i. Review all procurement requests (e.g., statements of work, performance work statements) with procurement request originators to ascertain whether green products or services are or should be involved in the procurement action;
  - ii. Provide guidance to procurement request originators and facilitate acquisition planning with respect to green products and services;
  - iii. Incorporate appropriate green purchasing requirements language and FAR provisions and clauses into contracts;
  - iv. Gather, sort and report procurement data for management evaluation of green purchasing performance, when such data is maintained in the Federal Procurement Data System – Next Generation, the VA Electronic Contract Management System and/or other databases operated by procurement organizations;
  - v. Ensure all contract actions (from requirements development through award, administration and close-out) meet relevant green purchasing requirements and procedures in the FAR, the VA Acquisition Regulation (VAAR), the VA Acquisition Manual (VAAM) and this directive;
  - vi. Maintain required documents in the contract file, including recovered materials estimates, certifications and written justifications for exemptions from purchasing U.S. Environmental Protection Agency (EPA)-designated recycled content, U.S. Department of Agriculture (USDA)-designated biobased and energy efficient products;
  - vii. Comply with the procedures for monitoring and annually reviewing the effectiveness of the GPP; and
  - viii. Take green purchasing training, as required. (See Section 3 of Appendix A for educational resources.)
- (j) Ensure that procurement request originators, as applicable:



- i. Determine whether existing VA contracts and/or category management contract vehicles on the General Services Administration (GSA) Acquisition Gateway have required green purchasing attributes and will satisfy the VA's procurement requirements;
  - ii. Include a written justification with the procurement request package and in the contract file for exemptions from purchasing EPA-designated recycled content, USDA-designated biobased and energy efficient products and follow other appropriate VA, Administration and Staff Office procedures for documenting exemptions to green purchasing requirements, such as those in Section 2.e. of Appendix A;
  - iii. Ensure that purchase requests and statements of work address all relevant green purchasing requirements prior to submitting them to the contracting office, the approving official or the source of supply;
  - iv. Consult with environmental and contracting specialists to improve and enhance procurement plans and prepare statements of work or specifications that incorporate relevant green purchasing requirements;
  - v. Consider potential life-cycle cost savings of green alternatives compared to non-green options for use in acquisition and procurement decisions;
  - vi. Provide oversight of contract execution to ensure that green purchasing requirements are provided or delivered in accordance with the terms of the contract; and
  - vii. Take green purchasing training, as required.
- (10) Chemicals Management and Pollution Prevention. (See also Appendix C – Chemicals Management and Pollution Prevention Procedures.)
- (a) Eliminate the procurement of Class I and Class II ozone-depleting substances (ODSs), except to maintain existing mission-critical equipment;
  - (b) Comply with all provisions of the Emergency Planning and Community Right-to-Know Act (40 Code of Federal Regulations (C.F.R.) 355, 370 and 372) (following legally applicable, relevant and appropriate Federal, state and local regulations related to hazardous chemicals/materials, to include risk management plans). This would include maintaining an inventory and submitting required Toxic Release Inventory and Tier 1 and Tier 2 reports to the appropriate

- local emergency planning committees (LEPCs) and Federal and state authorities;
- (c) Incorporate pollution prevention and waste minimization into all phases of equipment and chemicals/materials acquisition, operations, maintenance, support and disposal over the system or chemicals/materials life-cycle;
  - (d) Establish and execute cost-effective pollution prevention programs to reduce the volume of hazardous and toxic chemicals/materials through their procurement programs, including applying improved procurement practices and inventory control to prevent regulated hazardous waste generation through material spoilage, shelf-life expiration or improper inventory control;
  - (e) Ensure employees are trained in the proper use, handling and storage of hazardous and toxic chemicals/materials and have ready access to Safety Data Sheets for appropriate chemicals; and
  - (f) Ensure staff who purchase, use, handle or dispose of hazardous chemicals are familiar with their Administration's or Staff Office's chemicals management and pollution prevention policies and participate in chemicals management and pollution prevention tasks and training as directed by heads of the Administrations and Staff Offices, as appropriate.
- (11) Electronics Stewardship. (See also Appendix D – Electronics Stewardship Procedures.)
- (a) Provide policy, guidance and oversight regarding implementation of Federal, state, local, VA and this directive's electronics stewardship requirements within their Administration or Staff Office;
  - (b) Ensure staff and contractors who purchase, use, manage or dispose of VA's electronics are aware of and comply with Federal, state, local, VA and this directive's electronics stewardship requirements and implement Federal guidance such as that in GSA Bulletin FMR B-34 Disposal of Federal Electronic Assets;
  - (c) Ensure electronic products purchased and used by their Administration or Staff Office are EPEAT-registered, ENERGY STAR, FEMP-designated, FEMP low-standby power products and meet other energy efficiency and sustainable acquisition requirements as applicable;
  - (d) Ensure power management is implemented on all VA electronic assets to the maximum extent practicable, as appropriate per VA's healthcare mission;

- (e) Ensure all imaging equipment (e.g., printers, copiers) has duplex (double-sided) printing enabled and set as the default when operated; and
  - (f) Provide staffing and resources to implement Federal, state, local, VA and this directive's electronics stewardship requirements and support the efforts of any VA electronics stewardship working groups.
- (12) Environmental Compliance. (See also Appendix E – Environmental Compliance Procedures.)
- (a) Plan, program and budget with the goals of monitoring, achieving and maintaining compliance with applicable environmental requirements, as well as reporting environmental compliance matters within VA;
  - (b) Inform the Executive Director of Office of Asset Enterprise Management (OAEM) of the status of their organization's environmental compliance programs if requested or otherwise required. Requested status reports may include a summary of audit reports, significant findings, multi-year trend analyses and a summary of regulatory findings and enforcement actions with comparisons to previous years;
  - (c) Notify the Executive Director of OAEM of any environmental issues that have attracted or may attract national public interest;
  - (d) Notify the Office of General Counsel (OGC) of any:
    - i. Enforcement actions and take appropriate action to resolve the problem(s);
    - ii. Correspondence from Federal, state or local agencies or litigants, that potentially exposes any Administration level, facility or personnel of VA to environmental-related litigation. Provide copies of all related correspondence, including, but not limited to, criminal indictment or information, enforcement action; EPA notice of potential liability; request for information letter issued under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) or the Resource Conservation and Recovery Act (RCRA); notice of intent to sue; summons; complaint; or any similar correspondence; and
    - iii. Environmental occurrences, such as a criminal environmental enforcement action, a major oil and/or chemical emergency or spill, a major noncompliance with environmental statutes with potential for assessed fines and/or penalties or major

noncompliance that may attract regional or national public interest;

- (e) Ensure third-party environmental compliance audits are conducted and recorded for their organizations every 3-5 years and that such audits identify compliance gaps and root causes of noncompliance. Organizations should assess their facilities' relative noncompliance risk when determining audit frequency;
  - (f) Ensure all enforcement actions are addressed and closed with the responsible regulatory agencies as soon as it is practical, considering the severity of the violation and the nature of the remedy;
  - (g) Ensure that all identified noncompliance issues (i.e., from general knowledge or internal audits) will be corrected or have a corrective action plan in place as soon as practical; and
  - (h) Ensure that asset managers and staff involved in real property disposition (including, but not limited to, purchase, demolition, modification, significant maintenance and renovation) review each action for potential environmental compliance implications including, but not limited to, the following:
    - i. The National Environmental Policy Act;
    - ii. The potential for and possible extent of environmental contamination;
    - iii. Potential requirements for environmental permitting;
    - iv. Potential construction and demolition waste issues;
    - v. Sustainable acquisition requirements per Federal Acquisition Regulation and Veterans Affairs Acquisition Regulation; and
    - vi. Any other potentially applicable environmental requirements.
- (13) Waste Prevention and Recycling. (See also Appendix F – Waste Prevention and Recycling Procedures.)
- (a) Ensure their organizations meet the waste diversion goals set forth in applicable EOs, which at the time of this directive's publication is EO 14057 and as otherwise identified in Section 2.f. of this directive, to the maximum extent practicable given any VA healthcare mission constraints;

- (b) Conduct oversight activities to ensure their facilities and other component organizations have effective waste prevention and recycling programs;
  - (c) Ensure qualified staff are available to support management in implementing waste prevention and recycling policies; and
  - (d) Provide all personnel (including contracting officer technical representatives) with guidance and training on waste prevention and recycling.
- (14) Environmental Management Systems (EMS). (See also Appendices G and H – Environmental Management Systems (EMS) Procedures and Implementing EMSs at Appropriate Organizational Levels, respectively.)
- (a) Provide policy, guidance and oversight regarding the development and implementation of EMS(s) within their Administration or Staff Office;
  - (b) Ensure that organizational/multi-site/facility-level EMSs are developed and implemented at appropriate facilities within their respective Administration or Staff Office to reflect the EMS elements and framework found in the International Standard Organization (ISO) 14001:2015 standard. (The [VHA Green Environmental Management System \(GEMS\) Guidebook](#) provides information on the ISO standard.);
  - (c) Inform suppliers and contractors of relevant features of the Administration's or Staff Office's EMSs; and
  - (d) Perform an annual management review of the Administration's or Staff Office's EMS(s).
- c. **Assistant Secretary, Office of Information and Technology and Chief Information Officer**, in addition to the responsibilities in Section 3.b. above, shall:
- (1) Ensure VA information technology (IT) policy and operations comply with applicable Federal, state, local, VA and this directive's electronics stewardship requirements;
  - (2) Develop and implement policies to ensure that:
    - (a) Electronic products purchased and used by VA are EPEAT-registered, ENERGY STAR, FEMP-designated, FEMP low-standby power products and meet other energy efficiency and sustainable acquisition requirements as applicable;

- (b) Power management is implemented on all VA electronic assets to the maximum extent practicable, as appropriate per VA's healthcare mission;
  - (c) All imaging equipment has duplex (double-sided) printing and copying capabilities, is duplex-enabled when delivered to VA and is operated with duplex printing and copying as the default setting;
  - (d) The useful life of all VA electronic assets is extended to the maximum extent practicable; and
  - (e) All VA electronic assets will be managed according to Federal and VA requirements and guidance, such as GSA Bulletin FMR B-34 Disposal of Federal Electronic Assets;
- (3) Develop procedures to track electronic products purchased and used by VA that are EPEAT-registered, ENERGY STAR, FEMP-designated, FEMP low standby power products, have duplex printing capabilities, are operated with duplexing enabled and are implementing power management; and respond to information requests from OAEM as needed;
  - (4) Provide one or more technical representatives to serve on the interagency IT Sustainability Working Group and/or VA groups established to support Federal electronics stewardship goals. OAEM Executive Director has discretion over VA representation on these groups;
  - (5) Ensure that IT managers, cyber security managers and other relevant personnel are aware and implement the goals of this directive, as well as applicable environmental and energy laws, regulations and EOs; and
  - (6) Provide progress reports to the OAEM Executive Director on electronics stewardship metrics and related information required in OMB Scorecards, sustainability plans and other mandated reports annually (or as otherwise requested by the OAEM Executive Director).
- d. **Principal Executive Director, Office of Acquisition, Logistics and Construction (OALC) and Chief Acquisition Officer (CAO)**, in addition to the responsibilities in Section 3.b. above, shall:
- (1) Develop, maintain and evaluate the performance of the VA GPP, to include all Federal green purchasing mandates and requirements, with input and collaboration from the Executive Director of OAEM, the Senior Procurement Executive and all Heads of Contracting Activity;
  - (2) Ensure compliance with all green purchasing policies and procedures contained in the FAR and other Federal green purchasing mandates;

- (3) Establish and track an annual target for the number of VA contracts to be awarded with biobased criteria and dollar value of biobased products to be delivered and reported under those contracts in the following fiscal year. In establishing targets and to the extent feasible, consider the dollar value of biobased products purchased in previous years, the specifications reviewed and revised for inclusion of biobased products and the number of applicable product and service contracts to be awarded, including, but not limited to, construction, operations and maintenance, food services, vehicle maintenance and janitorial services. (Per Section 9002 of the [Farm Security and Rural Investment Act of 2002](#) (FSRIA), agencies must include biobased criteria in procurements when purchasing products or purchasing services that include the use of products, that are included in a biobased product category designated by USDA. As required by Section 9002 of the Agricultural Act of 2014, agencies must establish a targeted biobased-only procurement requirement under which the agency must issue a certain number of biobased-only contracts when it is purchasing products or purchasing services that include the use of products, that are included in a biobased product category designated by USDA.);
- (4) Ensure all VA COs remind contractors of the requirement at FAR 52.223-2(c)(1) and (2) to report the purchase of USDA-designated biobased and BioPreferred® products by product types and dollar value, using the [System for Award Management \(SAM\)](#) and to provide the CO with a copy of the reporting data;
- (5) Ensure that all contractors accomplish the reporting requirement by October 31 of each year during contract performance and at the end of contract performance, for biobased and BioPreferred® products purchased by the contractor under service and construction contracts during the previous Government fiscal year (between October 1 and September 30);
- (6) Ensure all acquisition staff complete the Federal Procurement Data System (FPDS) data element 8L - "Recovered Materials/Sustainability." This field is mandatory and must be completed whether or not a contract has biobased or other sustainability requirements. In the drop-down menu for 8L, there are five options that include the word "biobased." In the case where a contract includes the FAR 52.223-2 clause, the CO should select the appropriate biobased-related option. In order for a contract action to be pulled from FPDS into SAM and become available to a vendor for biobased reporting, the CO must: 1) properly code the action in 8L as having included biobased product requirements, 2) include the FAR clause for biobased product certification (FAR 52.223-1) and 3) include the FAR clause for reporting by construction and services contractors (FAR 52.223-2). As such, the CO must fill out 8L correctly by selecting one of the five biobased options in the drop-down menu;

- (7) Update VA's acquisition policy, guidance and instructions (to include, but not limited to, the VAAR and the VAAM) with the latest environmental FAR amendments and other Federal green purchasing requirements;
  - (8) Develop and implement procedures for conducting management reviews, internal control reviews and other monitoring activities;
  - (9) Develop and implement procedures for identifying and correcting program compliance weaknesses through appropriate means;
  - (10) Identify training needs and develop or provide access to training programs to ensure that Administration and Staff Office procurement and acquisition personnel are aware of the goals of this directive;
  - (11) Provide assistance to OAEM, including, but not limited to, developing VA-level responses to acquisition-related questions in reports requested by the White House Council on Environmental Quality (CEQ), the Office of Management and Budget (OMB) and other applicable entities; and, at the OAEM Executive Director's discretion, provide one or more technical representatives to serve on the interagency Sustainable Acquisition and Materials Management (SAMM) Working Group and other relevant interagency groups established to support Federal sustainable acquisition and waste management goals;
  - (12) Ensure that COs include required green purchasing FAR and VAAR provisions, clauses and preferences in contracts and technical evaluations they prepare; and
  - (13) Provide electronic green purchasing tracking methods or enhanced purchasing software to allow for coding green purchases.
- e. **The General Counsel**, in addition to the responsibilities in Section 3.b. above, shall review environmental compliance-related reports, responses and other communications for legal sufficiency as appropriate or required; and provide counsel and advice on environmental compliance matters.
- f. **Executive Director, OAEM, OM and VA's Chief Sustainability Officer (CSO)**, shall:
- (1) Establish policy and guidance to help VA implement and continually improve environmental programs and ensure Department-wide compliance with environmental policies and procedures, as well as oversee the VA Environmental Management Program;
  - (2) Monitor VA environmental performance and report progress as required to the Chair of CEQ, Federal Chief Sustainability Officer, Director of OMB, Administrator of EPA and other applicable entities;



- (3) Represent VA at meetings of agency CSOs convened by OMB, CEQ and other applicable entities;
  - (4) Coordinate with senior agency leaders, such as the Chief Information Officer (CIO), Chief Financial Officer (CFO) and Chief Acquisition Officer (CAO), as necessary, on budget and personnel resource needs and for effective implementation of environmental programs; and
  - (5) As needed, establish cross-functional, Department-wide VA environmental management working groups, with appropriate representatives necessary to expeditiously meet the goals and requirements of the environmental programs, including collaboration with other agencies.
- g. **Executive Director, Financial Services Center, OM** shall:
- (1) Identify training needs to ensure that purchase card coordinators, purchase card holders and approving officials are aware of the goals of this directive and of their responsibility to comply with the Federal green purchasing requirements. (Purchase card coordinators, purchase card holders and approving officials must take mandatory VA Purchase Card Training and refresher training every two years. For additional information on purchase cards, refer to [VA's Financial Policy, Volume XVI, Charge Card Programs](#). Purchase Card training requirements are outlined in Chapter 1A, Appendix A. Policy related to green purchasing is referenced in Chapter 1B, Section 010501 D., on page 8.); and
  - (2) Develop or provide access to training programs or other educational information to meet those training needs, for example, through VA's Talent Management System (TMS) or external resources.
- h. **Deputy Assistant Secretary, Finance, OM** shall ensure updates to the purchase card and other relevant chapters in VA's Financial Policy reference current Federal green purchasing, recycling revenues and other environmental requirements.
- i. **Executive Director, Office of Construction and Facilities Management (OCFM), OALC** shall:
- (1) Ensure all master construction specifications include applicable Federal requirements for purchasing sustainable products, including, but not limited to, those for energy efficient, EPA-designated recycled content and USDA-designated biobased products and chemicals identified as acceptable alternatives by EPA's Significant New Alternatives Policy (SNAP) program, to the extent available products meet agency needs. This includes removing any language that may unnecessarily prohibit or preclude, the purchase or use of Federally-mandated sustainable products;

- (2) Within two years of the issuance of this directive, complete a full review of all master construction specifications for compliance with the requirements shown in 3.i.(1) above;
- (3) Adjust internal policies and procedures to ensure new and revised master construction specifications incorporate the requirements referenced in 3.i.(1) above;
- (4) Monitor Federal sustainable product purchasing requirements for additions, changes or deletions. Ensure specifications incorporate the new and/or updated requirements within one year after publication of the new and/or updated requirements;
- (5) Provide National Environmental Policy Act (NEPA) implementation support when requested from VHA, NCA and VBA;
- (6) Ensure the agency coordination and completion of all environmental compliance and documentation associated with major construction and applicable real property actions; and
- (7) Provide reports to OAEM, as requested.

#### 4. DEFINITIONS.

- a. **Acquisition.** The FAR defines acquisition as the acquiring by contract with appropriated funds of supplies or services (including construction) by and for the use of the Federal Government through purchase or lease, whether the supplies or services are already in existence or must be created, developed, demonstrated and evaluated. Acquisition begins at the point when agency needs are established and includes the description of requirements to satisfy agency needs, solicitation and selection of sources, award of contracts, contract financing, contract performance, contract administration and those technical and management functions directly related to the process of fulfilling agency needs by contract.
- b. **Appropriate Facility or Organization.** Any Federal facility or organization that is subject to compliance with environmental regulation or conducts activities that can have a significant impact on the environment, either directly or indirectly, individually or cumulatively, due to the operations of that facility's or organization's mission, processes or functions.
- c. **Biobased Product.** As defined by the Farm Security and Rural Investment Act of 2002, "biobased product" means a product determined by USDA to be a commercial or industrial product (other than food, feed or fuel) that is composed, in whole or in significant part, of biological products, including renewable domestic agricultural materials and forestry materials; or an intermediate ingredient or feedstock. Biobased Products are derived from raw materials such as plants and other renewable agricultural, marine and forestry materials.

- d. **BioPreferred.** The USDA BioPreferred program includes a preferred procurement program for Federal agencies and their contractors. Under the procurement program, BioPreferred designates categories of biobased products that are required for purchase by Federal agencies and their contractors. As a part of this process, the minimum biobased content is specified.
- e. **Buy Clean.** As defined in EO 14057, “Buy Clean” means a policy to promote purchase of construction materials with lower embodied emissions, taking into account the life-cycle emissions associated with the production of those materials.
- f. **Category Management.** GSA describes category management as an approach the Federal Government is applying to buy smarter and more like a single enterprise. The goals of government-wide category management are to deliver more savings, value and efficiency for Federal agencies; eliminate unnecessary contract redundancies; and meet the government’s small business goals.
- g. **Certification.** Written documentation provided by offerors/bidders/vendors certifying that the percentage of recovered materials contained in products or to be used in the performance of the contract is at least the amount required by applicable specifications or other contractual requirements. Certification on multicomponent or multi-material products should verify the percentage of post-consumer waste and recycled material and/or biobased material contained in the major components of the product.
- h. **Closed Enforcement Action.** An enforcement action that has been resolved by one of the following: Revocation of the action by the regulating authority; Closure of the action following written notice from the regulating authority that the action is closed or resolved; Closure of the action, after a reasonable time span, following written notice from the regulating authority of their intent to close the enforcement action; or Receipt of a signed compliance agreement order.
- i. **Contract Action.** FAR 23.101 defines “contract action” as any oral or written action that results in the purchase, rent or lease of supplies or equipment, services or construction using appropriated dollars, including purchases below the micro-purchase threshold. Contract action does not include grants, cooperative agreements, other transactions, real property leases, requisitions from Federal stock, training authorizations or other non-FAR based transactions.
- j. **Diversion.** Redirecting materials from disposal in landfills or incinerators to recycling or recovery, excluding disposition in waste-to-energy facilities.
- k. **Embodied Emissions.** As defined in EO 14057, “embodied emissions” means the quantity of emissions, accounting for all stages of production including upstream processing and extraction of fuels and feedstocks, emitted to the atmosphere due to the production of a product per unit of such product.

- l. **Energy Efficient Product.** Refers to a product defined by the FAR as meeting Department of Energy and EPA criteria for use of the Energy Star trademark label; or is in the upper 25 percent of energy efficiency for all similar products as designated by FEMP.
- m. **Enforcement Action.** An enforcement action is a formal written notification, issued by the EPA or other authorized Federal, state or local environmental regulatory authority, of violation of any applicable statutory or regulatory requirement. Enforcement action does not include warning letters, informal notices of deficiencies or notices of deficiencies to permit applications. All infractions of a separate statutory or regulatory requirement constitute a separate enforcement action, even if addressed in a single notice. Items found to be out of compliance during an internal audit are not included in this definition of enforcement action.
- n. **Environmental Aspects.** Elements of Administration or Staff Office facility activities, products or services that interact or may interact, with the environment.
- o. **Environmental Impact.** Any change (complete or partial) to the environment, whether adverse or beneficial, resulting from an Administration's or Staff Office's functional mission or activities.
- p. **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 environmental aspects related to energy and transportation functions. EMS implementation reflects accepted quality management principles based on the "Plan, Do, Check, Act," model found in the ISO 14001:2015 International Standard and using 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.
- q. **Environmentally Preferable.** Refers to products or services defined by FAR 2.101 as having 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, production, manufacturing, packaging, distribution, reuse, operation, maintenance or disposal of the product or service.
- r. **EPA-designated Item.** A product that is or can be made with recovered material, is listed by EPA in its procurement guidelines and for which EPA has provided purchasing recommendations in a Recovered Materials Advisory Notice.

- s. **Facility.** Any building, installation, structure, land or real property that is owned or operated by or constructed or manufactured and leased to, an Administration or Staff Office, as well as any fixtures. This term includes a group of facilities at a single or multiple location(s) managed as an integrated operation, as well as government-owned contractor-operated facilities.
- t. **Green Purchasing Program (GPP).** An acquisition program that implements sustainable acquisition requirements and assures the purchase of environmentally preferable products and services in accordance with Federally mandated “green” purchasing preference programs to the maximum extent possible.
- u. **Hazardous Chemicals/Materials.** For the purposes of this directive, a hazardous or regulated chemical or material is: any chemical or material defined as hazardous in 29 C.F.R. 1910 or 1926; any item or chemical which is reportable or potentially reportable as inventoried under the requirements of the hazardous chemical reporting (i.e., 40 C.F.R. 355, 370 and or 372); and any item or chemical regulated by the Department of Transportation Uniform Safety Act (49 C.F.R. 100-185) as amended which, when being transported or moved on public roads, is a risk to public health or safety or an environmental hazard.
- v. **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.
- w. **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).
- x. **Minimum Content Standard.** As defined by the U.S. Department of Defense, the minimum recycled content or biobased content set in specifications, standards, contract scopes of work or other documents specifying the government’s minimum needs. Minimum content standards are based on the recycled content levels recommended by the EPA or the minimum biobased content levels recommended by the USDA and are set to ensure that the recycled content or biobased content required is the maximum available without jeopardizing the item’s intended use or violating the limitations of the minimum content standards set forth by EPA and USDA procurement guidelines.
- y. **Open Enforcement Action.** An enforcement action for which a formal, written notice has been issued but is not yet closed by one of the resolutions described under the definition of closed enforcement action.
- z. **Ozone-Depleting Substance (ODS).** An ODS is any substance designated as a Class I or Class II substance by the EPA in 40 C.F.R. 82, as authorized by 42 U.S.C. 7671(a). Class I ODSs include, but are not limited to,

chlorofluorocarbons, halons, carbon tetrachloride and methyl chloroform; and Class II ODSs include certain hydrochlorofluorocarbons.

- aa. **Performance Specification.** A specification stating a product's desired operation, function or design, but not specifying its materials.
- bb. **Pollution Prevention.** Refers to "source reduction" as defined in the Pollution Prevention Act of 1990, 42 United States Code (U.S.C.) 13102 and other practices that reduce or eliminate the creation of pollutants through increased efficiency in the use of raw materials, energy, water or other resources; or the protection of natural resources by conservation.
- cc. **Power Management.** As described on EnergyStar.gov, power management features automatically place computers, monitors and other electronic equipment into a low-power "sleep mode" after a period of inactivity, in order to save energy.
- dd. **Practicable.** As defined in 40 C.F.R. 247.3, "practicable" means capable of being used consistent with: Performance in accordance with applicable specifications, availability at a reasonable price, availability within a reasonable period of time and maintenance of a satisfactory level of competition.
- ee. **Procurement Guidelines.** Regulations issued by the EPA pursuant to Section 6002 of RCRA and USDA pursuant to Section 9002 of FSRIA which: (1) identify items produced (or can be produced) with recovered materials or biobased materials, respectively and where procurement of such items will advance the objectives of RCRA or FSRIA; and (2) provide recommended practices for the procurement of such items.
- ff. **Procurement Request Originators.** The individuals or organizations responsible for defining the requirements for a purchase. This term includes, but is not limited to, engineers, acquisition personnel, program and project managers, purchase card holders, technical requirements or specification writers/reviewers and CORs.
- gg. **Recovered Material.** As defined by RCRA, the term "recovered materials" means waste material and by-products which have been recovered or diverted from solid waste, but such term does not include those materials and by-products generated from and commonly reused within, an original manufacturing process.
- hh. **Recycled Material.** A material utilized in place of raw or virgin material in product manufacturing consisting of materials derived from post-consumer waste, industrial scrap, agricultural waste and other items, all of which can be used in new product manufacture.
- ii. **Recycling.** As defined in FAR 52.223-10, recycling means the series of activities, including collection, separation and processing, by which products or

other materials are recovered from the solid waste stream for use in the form of raw materials in the manufacture of new products other than fuel for producing heat or power by combustion.

- jj. **Solid Waste.** Any discarded material as defined according to 40 C.F.R. 261.2 or, where applicable, each State's solid waste management rules and regulations.
- kk. **Source Reduction.** As defined in the Pollution Prevention Act at 42 U.S.C. 13102, the term "source reduction" means any practice that reduces the amount of any hazardous substance, pollutant or contaminant entering any waste stream or otherwise released into the environment (including fugitive emissions) prior to recycling, treatment or disposal; and reduces the hazards to public health and the environment associated with the release of such substances, pollutants or contaminants. Source reduction includes equipment or technology modifications; process or procedure modifications; reformulation or redesign of products; substitution of raw materials; and improvements in housekeeping, maintenance, training or inventory control. Source reduction does not entail any form of waste management (e.g., recycling and treatment).
- ll. **Specification.** As defined in 40 C.F.R. 247.3, "specification" means a description of the technical requirements for a material, product or service that includes the criteria for determining whether these requirements are met. In general, specifications are in the form of written commercial designations, industry standards and other descriptive references.
- mm. **Sustainable Acquisition.** FAR 2.101 defines "sustainable acquisition" as acquiring of goods and services in order to create and maintain conditions under which humans and nature can exist in productive harmony and that permit fulfilling the social, economic and other requirements of present and future generations.
- nn. **Third-party Environmental Compliance Audits.** For the purpose of environmental compliance auditing, third-party audits are those conducted by organizations and individuals outside of the Department of Veterans Affairs.
- oo. **Unreasonable Price.** A cost of a recycled product that is significantly greater than the equivalent virgin material's cost. Unreasonable price is not a factor when minimum content standards are specified in the statement of work/ procurement request, as price estimates will only be obtained from vendors who can supply products that meet the recovered material content requirements.
- pp. **USDA-designated Item.** FAR 23.401 defines "USDA-designated item" as a generic grouping of products that are or can be made with biobased materials that is listed by USDA in a procurement guideline (7 C.F.R. part 3201, subpart B) and for which USDA has provided purchasing recommendations.

- qq. **Verification.** Procedures used by procuring agencies to confirm both vendor estimates and certifications of the percentages of recovered material contained in the products supplied to them or to be used in the performance of a contract.
- rr. **Virgin Material.** As defined by RCRA, the term "virgin material" means a raw material, including previously unused copper, aluminum, lead, zinc, iron or other metal or metal ore, any undeveloped resource that is or with new technology will become, a source of raw materials.
- ss. **Waste Management.** The collection, transport, processing, recycling or disposal and monitoring of waste materials. The term usually relates to materials produced by human activity and to activities undertaken to reduce their effect on human health and the environment. Waste management is also carried out to recover still-useful resources. Waste management can involve solid, liquid or gaseous or radioactive or mixed substances.
- tt. **Waste Minimization.** According to EPA, "waste minimization" refers to the use of source reduction and/or environmentally sound recycling methods prior to energy recovery, treatment or disposal of wastes. Waste minimization does not include waste treatment, that is, any process designed to change the physical, chemical or biological composition of waste streams. For example, compacting, neutralizing, diluting and incineration are not typically considered waste minimization practices.
- uu. **Waste Prevention.** Refers to any activity that prevents waste at its source, such as any change in the design, manufacturing, purchase or use of materials or products, including packaging, to reduce their amount or toxicity before they are discarded; reuse of a product in its original form; and use of repairable, refillable or durable products that result in a longer useful life.

**5. REFERENCES.** Below are key laws, EOs and other relevant information. As requirements evolve, new or revised ones (along with available guidance) may be referenced at <https://dvagov.sharepoint.com/sites/VAEnvironmentalManagement> and/or <https://energy.va.gov/energy/environment/index.asp>. Federal laws and regulations are available through web-based resources such as govinfo, a service of the United States Government Publishing Office (GPO), <https://www.govinfo.gov> and the electronic C.F.R., <https://www.ecfr.gov>. Most Federal environmental regulations will be found in C.F.R. Title 40, Protection of the Environment; Title 29, Labor; and Title 49, Transportation. State and local regulations are typically available through state and local environmental agencies. A complete listing of EOs can be found through the National Archives, <https://www.federalregister.gov/presidential-documents/executive-orders>. Relevant directives and handbooks can be found on the [VA Publications Website](#).

- a. Executive Order 14057, "Catalyzing Clean Energy Industries and Jobs Through Federal Sustainability," dated December 08, 2021.  
<https://www.whitehouse.gov/briefing-room/presidential->



[actions/2021/12/08/executive-order-on-catalyzing-clean-energy-industries-and-jobs-through-federal-sustainability/](#)

- b. Clean Air Act of 1970, as amended, (CAA) (42 U.S.C. § 7401 et seq.).  
<https://www.govinfo.gov/content/pkg/USCODE-2011-title42/pdf/USCODE-2011-title42-chap85.pdf>
- c. Clean Water Act of 1977 (CWA) (33 U.S.C. § 1251 et seq.).  
<https://www.govinfo.gov/content/pkg/USCODE-2011-title33/pdf/USCODE-2011-title33-chap26.pdf>
- d. Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA or Superfund) (42 U.S.C. § 9601 et seq.).  
<https://www.govinfo.gov/content/pkg/USCODE-2011-title42/html/USCODE-2011-title42-chap103.htm>
- e. Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) (42 U.S.C. 11011 et seq.). <https://www.govinfo.gov/content/pkg/USCODE-2011-title42/html/USCODE-2011-title42-chap116.htm>
- f. Energy Policy Act of 2005 (EPAAct), especially Section 104.  
<https://www.govinfo.gov/content/pkg/PLAW-109publ58/pdf/PLAW-109publ58.pdf>
- g. Energy Independence and Security Act of 2007.  
<https://www.govinfo.gov/content/pkg/PLAW-110publ140/pdf/PLAW-110publ140.pdf>
- h. Farm Security and Rural Investment Act of 2002 (FSRIA), Section 9002 (7 U.S.C. 8102) and subsequent Farm Bills.  
<https://www.govinfo.gov/content/pkg/PLAW-107publ171/pdf/PLAW-107publ171.pdf> and  
<https://www.biopREFERRED.gov/BioPreferred/faces/pages/PoliciesAndLaws.xhtml>
- i. Federal Acquisition Regulation, Title 48 of the C.F.R., especially Part 23.  
<https://www.acquisition.gov/browse/index/far>
- j. Food, Conservation and Energy Act of 2008 (FCEA), Section 9002 (Public Law 110-246). <https://www.congress.gov/110/plaws/publ246/PLAW-110publ246.pdf>
- k. ISO 14001:2015 International Standard.  
<https://www.iso.org/standard/60857.html>
- l. Memorandum of Understanding – Promoting Sustainable Environmental Stewardship of Federal Electronic Assets (2004).  
<https://denix.osd.mil/spp/guidance/memorandums/federal-leadership-in-high-performance-and-sustainable-buildings-mou-january-24-2006/>

- m. NEPA (42 U.S.C. 4321 et seq.). <https://www.govinfo.gov/content/pkg/USCODE-2011-title42/html/USCODE-2011-title42-chap55.htm>
- n. Office of Management and Budget Circular A-11. <https://www.whitehouse.gov/omb/information-for-agencies/circulars/>
- o. Pollution Prevention Act of 1990 (PPA) (42 U.S.C. §§13101-13109). <https://www.epa.gov/p2/pollution-prevention-act-1990>
- p. Protection of the Environment, C.F.R. Title 40 1-1500. <https://www.ecfr.gov/current/title-40>
- q. Resource Conservation and Recovery Act of 1976 (RCRA). <https://www.govinfo.gov/content/pkg/USCODE-2011-title42/html/USCODE-2011-title42-chap82.htm> and <https://www.epa.gov/rcra/history-resource-conservation-and-recovery-act-rcra#statutes>
- r. Safe Drinking Water Act of 1974 (SDWA) (42 U.S.C. § 300f et seq.). <https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter6A/subchapter12&edition=prelim>
- s. Superfund Amendments and Reauthorization Act of 1986 (42 U.S.C. 9601 et seq.). <https://www.govinfo.gov/content/pkg/USCODE-2011-title42/html/USCODE-2011-title42-chap103.htm>
- t. Toxic Substances Control Act of 1976 (42 U.S.C. § 2601 et seq.). <https://uscode.house.gov/view.xhtml?path=/prelim@title15/chapter53&edition=prelim>
- u. VA NEPA implementing regulation (38 C.F.R. Part 26). <https://www.ecfr.gov/current/title-38/chapter-I/part-26>
- v. VA Acquisition Manual (VAAM), especially Part M823, <https://www.va.gov/oal/library/vaam/vaamM823.asp#82310370>.
- w. VA Acquisition Regulation (VAAR), Title 48—Federal Acquisition Regulation System, Chapter 8—Department of Veterans Affairs, Subpart 823.1, <https://www.va.gov/oal/library/vaar/vaar823.asp>.

## APPENDIX A — GREEN PURCHASING PROCEDURES

1. **GENERAL.** VA employees must procure environmentally preferable or sustainable products and services. This policy applies to all types of acquisitions and procurements (e.g., micro-purchases paid for by purchase cards and other contract actions). VA policy is also to procure construction materials and other products and services with lower embodied emissions, in accordance with Federal Buy Clean policy in applicable EOs, which at the time of this directive's publication is EO 14057. Before a decision is made to purchase a product or service, all efforts should be made to buy only what is needed and reuse products and materials to the maximum extent practicable. This includes maximizing use of the VA Utilization Program as outlined in VA Handbook 7348, Utilization and Disposal of Personal Property. Requirements for source reduction are further explained in Appendix F and other waste-related content in this directive.
2. **PROCEDURES.**
  - a. **Objectives and Targets.** The green purchasing-related content in this directive constitutes the VA GPP, which includes the following objectives and targets:
    - (1) Under Secretaries, Assistant Secretaries and Other Key Officials must ensure their staff give preference in their procurement and acquisition programs to the purchase of:
      - (a) U.S. Environmental Protection Agency (EPA)-designated Comprehensive Procurement Guideline (CPG) recycled content items;
      - (b) ENERGY STAR products, Department of Energy (DOE) Federal Energy Management Program (FEMP)-designated energy efficient products and low standby power products;
      - (c) Biobased and BioPreferred products designated by the U.S. Department of Agriculture (USDA);
      - (d) Environmentally preferable products (EPP) and services;
      - (e) Electronic Product Environmental Assessment Tool (EPEAT)-registered products;
      - (f) Water-efficient products, such as those identified by the EPA WaterSense program, as appropriate per the VA healthcare mission;
      - (g) Non-ozone depleting substances covered by EPA's Significant New Alternatives Policy (SNAP) Program; and
      - (h) Non-toxic or less-toxic alternative products.

- (2) Under Secretaries, Assistant Secretaries and Other Key Officials must ensure their staff purchase green products and services to the maximum extent practicable and advance sustainable acquisition by ensuring that 95 percent of new contract actions (including task and delivery orders) for the supply of products and for the acquisition of services (including construction) meet the requirements of the GPP.
  - (3) Federal green purchasing requirements and guidelines change frequently and the tools in Section 3 below should be consulted prior to submitting a purchase request to identify the most accurate requirements and guidelines. Note that website links are subject to change.
- b. **Contractor Operation of Government-Owned Facilities or Vehicles.** VA contracts for operation of government-owned facilities or vehicles must require the contractor to comply with the provisions of this directive with respect to such facilities or vehicles to the same extent as the Administration or Staff Office would be required to comply if the Administration or Staff Office operated the facilities or vehicles.
  - c. **Obligations.** Agreements, permits, leases, licenses or other legally binding obligations between the Department and a tenant or concessionaire must require, to the extent the head of the Administration or Staff Office determines appropriate, that the tenant or concessionaire take actions relating to matters within the scope of the contract that facilitate the Administration or Staff Office's compliance with this directive.
  - d. **Estimation, Certification and Verification.** Vendor estimation, certification and verification apply to the EPA-designated products with recovered-content and USDA-designated biobased products.
    - (1) Procurement offices must require vendors to provide an estimate of the total recycled content of their products and to certify that the recycled content will meet minimum content standards for EPA-designated items. Contracting officers must ensure that FAR Clauses 52.223-4 and 52.223-9, Recovered Material Certification and Estimate of Percentage of Recovered Material Content for EPA-Designated Items, respectively, are included in all solicitations that incorporate specifications requiring the use of recovered materials.
    - (2) Procurement offices must require vendors to certify that biobased products (within categories of products listed by the USDA) to be used or delivered in the performance of the contract comply with applicable specifications or other requirements in the VA contract. Contracting officers must ensure that FAR Clause 52.223-1, Biobased Product Certification, is included in all solicitations that incorporate specifications requiring the use of biobased products.

- e. **Exemptions.** Exemptions from green purchasing requirements for EPA-designated recycled content, USDA-designated biobased and energy efficient products require written justifications in accordance with the GPP. (For exemptions from other categories of green purchasing requirements, such as water efficient, non-toxic, non-ozone depleting and EPP, it is strongly recommended that procurement request originators and COs maintain written documentation justifying the exemptions.) Sample justification form templates can be found in Appendix B of this directive.
- (1) In accordance with FAR Subparts 23.404 and 23.405, EPA-designated recycled content products or USDA-designated biobased items must be purchased directly or through a service contract unless an exemption applies. Exemptions for EPA and USDA-designated items require that a determination was made that such items cannot be acquired:
- (a) Competitively within a reasonable time frame;
  - (b) Meeting reasonable performance standards; or
  - (c) At a reasonable price. (When considering price, the life-cycle cost should be considered and not solely the unit price.)
- (2) In accordance with FAR Subpart 23.204, a decision not to procure ENERGY STAR or FEMP-designated energy efficient products directly or through a service contract requires that the Secretary of Veterans Affairs determine in writing that:
- (a) No ENERGY STAR or FEMP-designated product is reasonably available that meets the functional requirements of the agency; or
  - (b) No ENERGY STAR or FEMP-designated product is cost effective over the life of the product, taking energy cost savings into account.
- (3) An exemption from purchasing an EPA-designated product requires the CO to place a written justification in the contract file, in accordance with FAR Subpart 23.405. Similarly, the VA GPP requires acquisition personnel to place a signed justification of exemption from purchasing USDA-designated and/or energy efficient products in the contract file.
- f. **Environmental Management System (EMS).** Under Secretaries, Assistant Secretaries and Other Key Officials with an EMS must ensure green purchasing is included as a management approach for addressing environmental compliance and the environmental aspects of their operations and activities.

**g. Reviewing and Monitoring.**

- (1) Under Secretaries, Assistant Secretaries and Other Key Officials must ensure their staff periodically review representative samples of contract actions, including purchase card orders. The reviewers must ensure the inclusion of appropriate green purchasing requirements and clauses and procurement preference for the products and services as identified in Section 2.a. of this appendix. Contracts and purchase card orders must also be reviewed to confirm whether the required green products and services were delivered.
- (2) Administration and Staff Office reviewers must document any noncompliance issues identified during the review of the GPP and develop and implement corrective actions to address noncompliance issues.
- (3) Management Reviews. Results of monitoring and reviewing compliance with green purchasing requirements must be reported to senior facility, Administration or Staff Office management as appropriate. The management review must include the number and type of acquisitions reviewed, findings and any corrective actions proposed and/or taken. Management reviews are recommended every 1-3 years, with the frequency scaled to the level and nature of program issues identified.
- (4) Specifications Review. Under Secretaries, Assistant Secretaries and Other Key Officials must ensure their staff review and revise current contract specifications, product descriptions and standards during the acquisition planning stage to meet or exceed mandates and requirements for purchasing recycled, biobased, energy efficient and other products and services in the VA GPP. Contracts, standards or specifications that present barriers to the procurement of these products or services must be revised or eliminated, unless such revisions or eliminations adversely affect the integrity (e.g., safety, performance) of the product or service and/or VA's mission.

**h. Training.** As outlined in Section 3 of this directive, the VA Chief Acquisition Officer is responsible for identifying training needs and providing access to training programs to support implementation of the VA GPP, while the Executive Director of the Financial Services Center has similar responsibilities specifically regarding purchase card holders, coordinators and approving officials. And Under Secretaries, Assistant Secretaries and Other Key Officials are responsible for developing and implementing green purchasing training and awareness programs to ensure their employees are aware of their responsibilities under the GPP and this directive and that they have received training to fulfill those responsibilities competently. They must:

- (1) Tailor green purchasing awareness training to the nature and quantity of purchases made by the organization;

- (2) Include initial and routine refresher green purchasing training for all personnel involved in the procurement process, from requirements generation to contracting, purchase card or other purchase actions. In addition and where available, focused training (e.g., on the purchase of recycled and energy efficient products and services) should be provided to those involved in the procurement of particular products and services (e.g., those related to janitorial, landscaping, maintenance and operations, construction and renovation services, IT hardware);
- (3) Incorporate green purchasing awareness training into established training programs for management and staff, such as COR training, purchase card training, new employee orientation, environmental awareness training and office staff training; and
- (4) Establish a process to identify training requirements for each position and document initial and follow-up training for each individual with responsibilities under the GPP.

### **3. STRATEGIES, TOOLS AND RELATED RESOURCES.**

- a. VA Sustainable Design Manual, Rev. 1 August 18, 2017. Contains various green purchasing criteria throughout. <https://www.cfm.va.gov/til/sustain.asp>
- b. VA Master Construction Specifications (PG-18-1). Specification Section 01 81 13 Sustainable Construction Requirements and various other specs have integrated energy efficient, recycled content, biobased content and other green purchasing criteria. <https://www.cfm.va.gov/TIL/spec.asp>
- c. VA Market Research Guide for Acquisition Teams. Includes websites for searching green products and services. <https://www.va.gov/oal/docs/business/pps/guideVAMarketResearchForAcquisitionTeams.PDF>
- d. GSA Green Procurement Compilation (GPC). The GPC is a comprehensive green purchasing resource designed for Federal contracting personnel and program managers. It helps identify applicable green purchasing requirements by consolidating and organizing information from multiple Federal environmental programs in one place. It also identifies procurement options available to Federal buyers and provides additional procurement guidance. <https://sftool.gov/greenprocurement>
- e. VA Acquisition Manual (VAAM), especially Part M823. <https://www.va.gov/oal/library/vaam/vaamM823.asp#82310370>
- f. VA Acquisition Regulation (VAAR), Title 48—Federal Acquisition Regulation System, Chapter 8—Department of Veterans Affairs, Subpart 823.1. <https://www.va.gov/oal/library/vaar/vaar823.asp>

- g. FedCenter Acquisition Program Area. FedCenter is the Federal Government's home for comprehensive environmental stewardship and compliance assistance information. The Acquisition Program Area includes EOs, regulations, tools, lessons learned, training resources, conferences and events for Federal green procurement. <https://www.fedcenter.gov/programs/buygreen/>
- h. EPA Buying Green for Federal Purchasers website. Includes Recommendations of Specifications, Standards and Ecolabels for Federal Purchasing. <https://www.epa.gov/greenerproducts/buying-green-federal-purchasers>
- g. VA OAEM Green Purchasing website. Includes links to Federal green purchasing programs and resources. <https://www.energy.va.gov/environment/GP.asp>
- h. VA OAL Green Resources, Tools and Training website. Includes matrix of FAR "Green" Provisions and Clauses. <https://www.va.gov/oal/business/pps/greenResources.asp>



**APPENDIX B — SAMPLE JUSTIFICATION FORMS FOR EXEMPTIONS**

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**GREEN PURCHASING PROGRAM EXEMPTION FOR ITEMS CONTAINING  
RECOVERED MATERIALS AND/OR BIOBASED PRODUCTS**

This form is to be used for purchases (e.g., statements of work, contract acquisitions or specifications) involving the use of items subject to the Resource Conservation and Recovery Act of 1976 (RCRA) Section 6002 or Farm Security and Rural Investment Act of 2002 (FSRIA) 9002.

1. Please list the items subject to RCRA Section 6002 and/or FSRIA Section 9002 for which you are requesting exemption:

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2. Do the specifications/requirements for the item(s) comply with the applicable RCRA Section 6002 and/or FSRIA Section 9002 Procurement Guideline?

a. Yes \_\_\_\_\_ No \_\_\_\_\_

- b. If No, check the appropriate box and explain why items containing recovered materials or biobased content and meeting guideline recommendations (e.g., minimum-content standards) were not used. (*Explanation may be provided in a separate attachment.*)

(1) \_\_\_\_\_ Recovered/biobased items do not meet all reasonable performance specifications.

(2) \_\_\_\_\_ Obtaining designated items results in unusual and unreasonable delays.

(3) \_\_\_\_\_ The price is unreasonable.

(4) \_\_\_\_\_ \*Applying minimum-content standards results in inadequate competition. (*\*This justification does not apply to biobased products.*)

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Signature of Procurement Request Originator/Contracting Officer

Date

**GREEN PURCHASING PROGRAM EXEMPTION  
FOR ENERGY CONSUMING PRODUCTS**

This form is to be used for purchases (e.g., statements of work, contract acquisitions or specifications) involving the use of items subject to the Energy Policy Act of 2005 (EPAct) and the Federal Acquisition Regulation (FAR) 23.2.

1. Please list the items subject to EPAct and FAR 23.2 for which you are requesting exemption:

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2. Do the specifications/requirements for the item(s) comply with the applicable ENERGY STAR or Department of Energy's Federal Energy Management Program (FEMP) designated product standards?

a. Yes \_\_\_\_\_ No \_\_\_\_\_

- b. If No, check the appropriate box and explain why items containing recovered materials and meeting guideline recommendations (e.g., ENERGY STAR qualified product) were not used.  
*(Explanation may be provided in a separate attachment.)*

(1) \_\_\_\_\_ ENERGY STAR/FEMP products are not cost effective over the life of the product after taking energy savings into account.

(2) \_\_\_\_\_ ENERGY STAR/FEMP products that meet functional requirements are not reasonably available.

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\_\_\_\_\_  
Signature of Procurement Request Originator/Contracting Officer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of the Secretary of Veterans Affairs

\_\_\_\_\_  
Date

## **APPENDIX C — CHEMICALS MANAGEMENT AND POLLUTION PREVENTION PROCEDURES**

- 1. SCOPE.** This appendix outlines procedures and instructions for implementing VA chemicals management and pollution prevention policy. The provisions in this appendix apply to all VA offices and facilities that purchase, store, handle, use and/or dispose of hazardous chemicals/materials excluding radioactive materials.
- 2. PROCEDURES.**
  - a. VA employees must comply with Section 6602(b) of the Pollution Prevention Act, which established a national policy to reduce or eliminate the amount of any hazardous substance, pollutant or contaminant entering any waste stream or otherwise released into the environment (including fugitive emissions) prior to recycling, treatment or disposal. Any waste generated must be treated, stored and disposed of in ways that minimize future threats to human health and the environment. Pollution prevention priorities are ranked from preferred to least preferred are as follows:
    - (1) Pollution should be prevented or reduced at the source whenever feasible. Source reduction can be achieved by equipment or technology modification, process or procedure modification, reformulation or redesign of products, substitution of raw materials and improvements in housekeeping, maintenance, training or inventory control;
    - (2) Pollution that cannot be prevented must be recycled in an environmentally safe manner whenever feasible;
    - (3) Pollution that cannot be prevented or recycled must be treated in an environmentally safe manner whenever feasible; and
    - (4) Disposal or other release into the environment must be employed only as a last resort and must be conducted in an environmentally safe manner and in accordance with all applicable regulations.
  - b. As a best management practice, Under Secretaries, Assistant Secretaries and Other Key Officials should ensure that offices and facilities that use, store and/or handle hazardous chemicals/materials develop and implement a chemical management and pollution prevention plan. A comprehensive plan identifies hazardous chemicals/materials, provides management requirements, assigns responsibilities for management and establishes local operating procedures. The plan elements may be addressed in a stand-alone document or may be included in other plans (e.g., Chemical Hygiene Plan; Chemical Agents Plan; Hazardous Communication Plan; Integrated Contingency Plan; Spill Prevention, Control and Countermeasures Plan; Environmental Management System; or Waste Minimization Plan) and may include the following:

- (1) Strategy for complying with applicable laws and regulations;
  - (2) Spill prevention and emergency response;
  - (3) Personnel and fire safety practices;
  - (4) Procedures to obtain and comply with any permits required for hazardous chemical/material storage or use;
  - (5) Handling and storage requirements;
  - (6) Accurate and updated hazardous chemical inventory;
  - (7) Ongoing evaluation of work processes to reduce reliance on hazardous chemicals;
  - (8) Hazardous chemical/material disposal procedures;
  - (9) Procedures for procuring and minimizing use of hazardous chemicals/materials;
  - (10) Procedures for minimizing disposal of unused or expired hazardous chemicals/materials;
  - (11) Employee training requirements;
  - (12) Spill control equipment requirements and procedures;
  - (13) Emergency preparedness/response protocols;
  - (14) If applicable, copies of the Spill Control and Countermeasures Plan and/or contingency/spill plan;
  - (15) List of required equipment and spill response supplies to be maintained at all hazardous waste accumulation and storage sites; and
  - (16) Procedures to evaluate substitutes for newly introduced chemicals or hazardous materials to new or existing process.
- c. The management, use, disposal and cleanup of polychlorinated biphenyls (PCBs), asbestos and lead-based paint and other materials must comply with Federal, state and local regulations, including the [Toxic Substances Control Act of 1976](#) (15 U.S.C. § 2601-2692) and the following regulations in the [C.F.R.](#): 40 C.F.R. 761, 24 C.F.R. 35, 29 C.F.R. 1926.1101, 29 C.F.R. 1910.1001, 40 C.F.R. 763 and 40 C.F.R. 745 and 746.
- d. Under Secretaries, Assistant Secretaries and Other Key Officials must ensure their staff maximize the use of safe alternatives to ozone-depleting substances

(ODSs), as approved by the EPA's Significant New Alternatives Policy (SNAP) program. Procedures include the following steps:

- (1) Identify all Class I and Class II ODSs and the processes that use these substances.
- (2) Cease procurement of Class I and Class II ODSs (and the equipment and applications that use them), except as needed when servicing existing equipment. Plans to replace ODSs must focus on eliminating the use of ODSs in new equipment and phasing out ODS applications, as the existing equipment using ODSs reaches its expected service life.
- (3) Comply with all Clean Air Act Section 608 requirements for managing refrigeration and air conditioning equipment (e.g., venting prohibition, leak repair, recordkeeping and reporting); reclaiming, recovering and disposing of refrigerants; and technician certification. (See [www.epa.gov/Section608](http://www.epa.gov/Section608) for details.)

### **3. STRATEGIES, TOOLS AND RELATED RESOURCES.**

- a. VHA Directive 7705 Management of Hazardous Chemicals
- b. FedCenter Chemical Management Program Area. FedCenter is the Federal Government's home for comprehensive environmental stewardship and compliance assistance information. The Chemical Management Program Area includes EOs, regulations, tools, lessons learned, training resources, conferences and events. <https://www.fedcenter.gov/programs/chemical/>

## APPENDIX D — ELECTRONICS STEWARDSHIP PROCEDURES

1. **GENERAL.** VA employees must follow a life-cycle approach in managing the Department's electronic assets. Therefore, per Section 2.d. of this directive, VA policy is to buy ENERGY STAR and EPEAT-registered electronic products; enable the ENERGY STAR and other power management features on agency computers, monitors and other electronic equipment (as appropriate per VA's healthcare mission); establish and implement policies to extend the useful life of its electronic equipment, to the maximum extent practicable; and use environmentally sound practices with respect to the disposition of electronic equipment that has reached the end of its useful life (e.g., by reusing equipment or using recyclers certified to the Responsible Recyclers (R2) or e-Stewards standards).
2. **PROCEDURES, STRATEGIES, TOOLS AND RELATED RESOURCES.**
  - a. **Acquisition.** Under Secretaries, Assistant Secretaries and Other Key Officials must ensure their staff comply with Federal statutory, regulatory and EO procurement requirements applicable to electronic products, including those in FAR Part 23. The following are key websites and tools for identifying current requirements.
    - (1) ENERGY STAR website. Includes Product Finder that identifies specific ENERGY STAR certified product models for each product type. Clicking on individual product types provides an overview and, depending on the product, specifications and buying guidance. Searchable by category; see especially Office Equipment, Electronics and Data Centers.  
<https://www.energystar.gov/products?s=mega>
    - (2) DOE FEMP energy efficient products webpage. Provides table searchable by covered product category and efficiency program.  
<https://www.energy.gov/eere/femp/search-energy-efficient-products>
    - (3) EPEAT Registry. Searchable by electronic product category; identifies models meeting EPEAT criteria. [www.epeat.net](http://www.epeat.net)
    - (4) GSA GPC. (See also description in Appendix A, Section 3.d.) Identifies Federal green purchasing requirements and is searchable by product and service category; see especially Office Electronics, Electronic Equipment Leasing and Meeting and Conference Services.  
<https://sftool.gov/greenprocurement>
    - (5) EPA Recommendations of Specifications, Standards and Ecolabels for Federal Purchasing. Scroll to Electronics category and click on individual product types. Helps Federal purchasers identify and procure environmentally preferable products and services, which in turn help them meet their sustainability goals and requirements.  
<https://www.epa.gov/sustainable-marketplace-greener-products-and-services/recommendations-specifications-standards-and>

- (6) Executive Order 13221 Energy Efficient Standby Power Devices, July 31, 2001. Directs Federal agencies to purchase low wattage standby power devices. <https://www.govinfo.gov/content/pkg/FR-2001-08-02/pdf/01-19562.pdf>
- b. **Operation and Maintenance.** Under Secretaries, Assistant Secretaries and Other Key Officials must ensure their staff implement power management and duplex-printing (i.e., double-sided printing) on VA electronic equipment to the maximum extent practicable, per VA's healthcare mission. The EPA ENERGY STAR website provides information on how to implement power management, [https://www.energystar.gov/products/low\\_carbon\\_it\\_campaign/put\\_your\\_computers\\_sleep](https://www.energystar.gov/products/low_carbon_it_campaign/put_your_computers_sleep).
- c. **Management of Excess and Used Electronics.** Under Secretaries, Assistant Secretaries and Other Key Officials must ensure their staff follow guidance in GSA Bulletin FMR B-34 Disposal of Federal Electronic Assets to the maximum extent practicable. The Bulletin prioritizes various management methods, including reuse within the agency, transfers to other Federal agencies or schools, donations to states and eligible nonprofit organizations, sales to the public, return to a manufacturer or vendor under a take-back program and recycling via recyclers certified by GSA-recognized programs, which currently include R2 and e-Stewards. The following are key websites and tools for managing used electronics.
  - (1) GSA Bulletin FMR B-34 Disposal of Federal Electronic Assets. [https://www.gsa.gov/cdnstatic/FMR\\_Bulletin\\_B-34.pdf](https://www.gsa.gov/cdnstatic/FMR_Bulletin_B-34.pdf)
  - (2) Memorandum of Understanding Between Department of Veterans Affairs (Customer) and Federal Prison Industries, Inc. (DBA UNICOR). [VA and UNICOR Memorandum of Understanding](#)
  - (3) UNICOR Electronics Recycling website. Learn about the UNICOR electronics recycling process and see a current map of UNICOR electronics recycling locations. Note that all VA facilities must specify that items sent to UNICOR must be recycled by an R2-certified recycling facility. <https://www.unicor.gov/Recycling.aspx>
  - (4) EPA Electronics Recycling Services webpage. It links to the R2 and e-Stewards electronics recycling standards and to search tools for finding R2 and e-Stewards certified recyclers. <https://www.epa.gov/greenerproducts/electronics-recycling-services>
  - (5) EPS Recycling Program Guide. Developed by the VHA Environmental Programs Service (EPS), the guide includes Donations and Electronics Reuse and Recycling sections (see pp.32-35). <http://vaww.hefp.va.gov/resources/eps-recycling-program-guide>

## **APPENDIX E — ENVIRONMENTAL COMPLIANCE PROCEDURES**

- 1. GENERAL.** This appendix outlines uniform procedures and instructions for implementing VA environmental compliance policy.
- 2. PROCEDURES AND REPORTING.**
  - a. Under Secretaries, Assistant Secretaries and Other Key Officials must implement a third-party environmental compliance audit program that identifies compliance gaps and root causes of noncompliance. Audits must be conducted and recorded for their organizations every 3-5 years and organizations should assess their facilities' relative noncompliance risk when determining audit frequency.
  - b. Audits must be conducted using the Army Corps of Engineers "The Environmental Assessment and Management" (TEAM) Guide, with state supplements, as the standard tool for all third-party environmental compliance audits (see link in 3.a. below). Additional parameters may be established, evaluated and recorded. Audit results must be entered into an appropriate data management system to maintain current information on audit findings, corrective actions and facility data.
  - c. Under Secretaries, Assistant Secretaries and Other Key Officials must integrate compliance data and resource allocation procedures to ensure that audit findings and noncompliance root causes are tracked and addressed, including allocation of funds.
  - d. Under Secretaries, Assistant Secretaries and Other Key Officials must track the environmental compliance status of their facilities and/or operations and report, as requested, to the Executive Director of OAEM. The report may include, but is not limited to, data regarding noncompliance findings and enforcement actions, such as:
    - (1) Severity level, regulatory areas cited, summary and evaluation of root causes;
    - (2) Summary data of corrective actions including cost information to correct findings, timeline for closures and open and close status;
    - (3) Trends comparing root cause, severity and frequency of findings to previous years; and
    - (4) Summary of audits and inspections.
  - e. When applicable and appropriate, Under Secretaries, Assistant Secretaries and Other Key Officials may consider the use of Supplemental Environmental Projects (SEPs) – preferably pollution prevention, waste minimization and others



– in negotiating with regulatory agencies a resolution for environmental violations. However, careful consideration should be given to the potential consequences of using SEPs. In some cases, the cost of implementing a SEP may be greater than the cost of remediating the cause of the violation and paying a regulatory fine. USEPA defines a SEP as an environmentally beneficial project or activity that is not required by law, but that a party agrees to undertake as part of the settlement of an enforcement action. More information regarding SEPs may be found on the U.S. EPA website, <https://www.epa.gov/enforcement/supplemental-environmental-projects-seps#facts>.

### 3. STRATEGIES, TOOLS AND RELATED RESOURCES.

- a. U.S. TEAM Guide and State Supplements Information, <https://www.fedcenter.gov/Bookmarks/index.cfm?id=684>. For up-to-date regulatory information and audit process development, multiple Federal agencies use the U.S. TEAM Guide and the State Supplement to TEAM. These audit protocols/checklists address Federal and state/territory regulations in the following subject areas: air emissions; cultural resources, hazardous materials, hazardous waste, natural resources, NEPA, EMS, environmental noise, cleanup sites, pollution prevention, petroleum storage, pesticides use and storage, storage tanks, toxic substances (PCBs, asbestos, radon, lead-based paint), wastewater and drinking water. They are available to all personnel from VA (i.e., anyone with an @va.gov email address) via [FedCenter.gov membership](#).
- b. FedCenter. The FedCenter website, <https://www.fedcenter.gov/>, contains a wealth of environmental compliance information, particularly in the Environmental Compliance Program Area, <https://www.fedcenter.gov/programs/compliance/>.
- c. OAEM Energy, Environment and Fleet Program. This website features guidance for environmental management, along with fleet management, energy and water management, sustainable buildings, awards programs and employee education information. <https://energy.va.gov/>
- d. VHA Healthcare Environment and Facilities Programs. This website is a one-stop reference, networking and help site for environmental compliance, energy conservation and other sustainability-related programs and information. <http://vaww.hefp.va.gov/>
- e. Enforcement and Compliance History Online (ECHO). ECHO provides public access to compliance and enforcement information for approximately 800,000 EPA-regulated facilities. ECHO allows users to find permit, inspection, violation, enforcement action and penalty information covering the past two years. The site includes facilities regulated as Clean Air Act stationary sources, Clean Water Act direct dischargers and RCRA hazardous waste generators/handlers. <https://echo.epa.gov/>

- f. Facility Regulatory Tour. The FedCenter Facility Regulatory Tour is an activity-based guide designed to help Federal facility environmental managers meet their regulatory requirements. It also provides information on green products, pollution prevention opportunities and best practices related to a particular facility activity. <https://www.fedcenter.gov/assistance/facilitytour/>

## APPENDIX F — WASTE PREVENTION AND RECYCLING PROCEDURES

1. **GENERAL.** VA policy is to reduce, reuse and recycle materials and waste and to maintain life-cycle cost-effective waste prevention and recycling programs to the maximum extent practicable. In this way, VA employees must follow EPA's Waste Management Hierarchy, i.e., "reduce, reuse, recycle," to the maximum extent practicable. The Hierarchy prioritizes waste management approaches, from most to least environmentally preferred, <https://www.epa.gov/smm/sustainable-materials-management-non-hazardous-materials-and-waste-management-hierarchy>. In accordance with applicable EOs, which at the time of this directive's publication is EO 14057, VA policy is to divert at least 50 percent of nonhazardous solid waste (including food and compostable material) and construction and demolition waste and debris by fiscal year 2025 and 75 percent by fiscal year 2030.
2. **PROCEDURES.**
  - a. **Source Reduction.** Source reduction is the most important approach for meeting waste prevention and recycling goals. VA employees can reduce the amount of both hazardous and non-hazardous solid waste being generated and discarded by minimizing the amount and toxicity of materials purchased, altering how products and materials are used and reusing materials. Specific requirements of source reduction include buying: the minimum required quantities, products with reduced packaging, reusable and recyclable products and materials and products with energy conservation features, such as duplex-enabled printers. The requirements for green purchasing are found in law, regulation and EOs and are detailed in Appendix A and other green purchasing-related content of this directive.
  - b. **Diversion (Recycling).** After source reduction, diversion (i.e., recycling, offsite composting) from waste disposal in landfills and incinerators is the next most effective method of meeting waste prevention and recycling goals. Depending on the material, recycling markets and opportunities can vary by region. Recycling requirements for specific materials include:
    - (1) Paper. Under Secretaries, Assistant Secretaries and Other Key Officials must ensure their staff collect and recycle paper that is not otherwise regulated (e.g., containing infectious wastes or documents with personally identifiable information).
    - (2) Electronics. Used electronics, including computers, laptops and printers, must be managed in a legally compliant, environmentally sound manner, such as recycling through a recycler certified under the Responsible Recyclers (R2) or equivalent certification. GSA Bulletin B-34 contains guidance for management of Federal electronics assets, [https://www.gsa.gov/cdnstatic/FMR\\_Bulletin\\_B-34.pdf](https://www.gsa.gov/cdnstatic/FMR_Bulletin_B-34.pdf). See also Appendix D and other electronics stewardship content in this directive.

- (3) Other non-hazardous materials (e.g., cans, bottles, cardboard, furniture, pallets). Materials that can be recycled in a cost-effective manner must be collected and recycled.
  - (4) Hazardous and other regulated wastes. Efforts must be made to recycle hazardous and other regulated wastes in accordance with applicable Federal, state and local regulations and standards.
- c. **Energy Recovery.** If material cannot be recycled or composted, managing non-hazardous solid waste for energy recovery (e.g., in a waste-to-energy incinerator) is the next preferred option in the EPA Waste Management Hierarchy.
- d. **Disposition of Last Resort.** If material cannot be managed by the higher, more preferred options on the Hierarchy, then it must be disposed of (i.e., landfilled or incinerated) via a safe and environmentally preferable method that meets all applicable local, state and Federal regulations and standards.
- e. **Purchasing Requirements.** Purchasing requirements include the purchase of recycled content and non-toxic or less-toxic products. For example, recycled content products can be and are used throughout the Department. Detailed requirements for green purchasing are found in Appendices A and B and elsewhere in this directive, especially in Sections 2.b. and 3.b.(9).
- f. **Recycling Revenue.** Under Secretaries, Assistant Secretaries and Other Key Officials may retain and use revenue generated by recycling programs at their respective facilities in accordance with applicable laws and regulations such as Public Law 103-329, Section 608, which specifies the types of programs for which revenue can be used, <https://www.govinfo.gov/content/pkg/STATUTE-108/pdf/STATUTE-108-Pg2382.pdf>; and Chapter 7E in Volume II of VA financial policy, <https://www.va.gov/finance/policy/pubs/volumell.asp>.
- g. **Reporting.** Under Secretaries, Assistant Secretaries and Other Key Officials must ensure their staff respond to OAEM data calls and provide information needed for Department-level consolidated reports related to waste prevention and recycling, as requested. OAEM will disseminate, distribute and coordinate report requests from OMB, CEQ and other applicable entities among appropriate VA Administrations and Staff Offices. Information requests to Administrations and Staff Offices may include (but are not limited to) the following types of data:
  - (1) Improvements or updates to the hazardous waste, solid waste and recycling programs over the last year;
  - (2) Percent of facilities with a recycling program;
  - (3) Number of facilities with a composting program, on-site and off-site and weight of material composted;

- (4) Weight and percentage of non-hazardous solid waste (e.g., municipal solid waste) generated and diverted;
- (5) Weight and percentage of construction and demolition debris and materials diverted from the waste stream; and
- (6) Waste management costs.

### **3. STRATEGIES, TOOLS AND RELATED RESOURCES.**

a. VA-wide waste prevention and recycling strategies include:

- (1) Life-cycle management. This strategy assures best value to the government and maximizes sustainability and societal benefits. First-cost (e.g., for purchase and construction) alone should not dictate operation and maintenance decisions. Sustainability of design/equipment/products must also be factored in.
- (2) Paperless office. Under Secretaries, Assistant Secretaries and Other Key Officials must continually improve their efforts to transform the working environment towards being paperless. To the extent that paper must be used, conservation and recycling efforts must be maximized. Minimizing the use of paper is addressed in:
  - (a) FAR 4.502 (a), which requires the Federal Government to use electronic commerce whenever practicable or cost-effective.
  - (b) FAR 52.204-4 (b), which requires contractors to submit paper documents, such as offers, letters or reports that are printed or copied double-sided on paper containing at least 30 percent postconsumer fiber, whenever practicable, when not using electronic commerce methods to submit information or data to the Government.
- (3) Yearly re-assessment for cost effectiveness of recycling. To ensure that recycling programs are not only environmentally effective, but also life-cycle cost-effective (including waste diversion costs), recycling programs should, as a best management practice, undergo a yearly assessment to ensure that recycling is maximized while cost is minimized to the extent practicable.
- (4) Waste tracking. By tracking their waste streams in real or near real-time, Under Secretaries, Assistant Secretaries and Other Key Officials can examine the efficiency of their operations and effectiveness of their waste prevention and recycling program. Waste tracking will also assist in reporting recycling and waste generation data need for required reporting.

b. Tools. Many tools are available to aid in waste prevention, recycling and composting, such as:

- (1) VA Sustainable Design Standards webpage. Provides link to the VA Sustainable Design Manual. Section 7, Environmental Impact of Materials, contains direction for waste and materials management during construction projects. Also links to Guiding Principles Checklist for New Construction and Modernization. <https://www.cfm.va.gov/til/sustain.asp>
- (2) Construction and Demolition (C&D) materials disposition. Specific methods and requirements for the recycling of C&D materials are found in the VA Master Construction Specifications (PG-18-1). See Specification Section 01 74 19 Construction Waste Management. <https://www.cfm.va.gov/TIL/spec.asp>.
- (3) Compostable and organic material. Composting can be done on- or off-site and must be done in a manner that meets health and safety requirements. EPA provides various composting resources on its website, as well as a Sustainable Management of Food webpage, <https://www.epa.gov/sustainable-management-food>.
- (4) EPS Recycling Program Guide. VHA EPS developed this Guide to ensure Environmental Management Service (EMS) staff, Recycling Coordinators, GEMS Managers and facility staff have the knowledge needed to implement an effective waste management and recycling program and understand the benefits it provides in improving the health care environment and community. <http://vaww.hefp.va.gov/resources/eps-recycling-program-guide>
- (5) EPS Waste Management webpage. <http://vaww.hefp.va.gov/topics/waste-management>

c. Other Resources.

- (1) Pollution Prevention Act of 1990, 42 U.S.C. §13101 et seq. and subsequent amendments, which establish policy to reduce the amount of pollution through cost-effective changes in production, operation and raw materials use. The amendments modified the reporting provisions under the Toxic Chemical Release Reporting rules to include detailed information and trends on quantities of chemicals released to the environment that were not treated on site or off site; quantities of chemicals used for energy recovery on site and off site; quantities of chemicals recycled on site and off site; quantities of chemicals treated on site and off site; and quantities of chemicals released to the environment as a result of remedial actions, catastrophic events or one-time events not associated with production processes.
- (2) Resource Conservation and Recovery Act of 1976 (RCRA), 42 U.S.C. §6901 et seq. (1976) and subsequent amendments, which give EPA the authority to control the generation, transportation, treatment, storage and

disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes.

- (3) VHA Directive 1850.06 Waste Management Program.  
<https://www.va.gov/vhapublications/publications.cfm?Pub=1>
- (4) Federal Property Management Regulations, 41 C.F.R. 101.
- (5) Federal Management Regulation, 41 C.F.R. 102.
- (6) VA Directive and Handbook 7002 Logistics Management Policy.  
<https://www.va.gov/vapubs/>

## **APPENDIX G — ENVIRONMENTAL MANAGEMENT SYSTEMS (EMS) PROCEDURES**

- 1. GENERAL.** This appendix outlines procedures and instructions for implementing VA EMS policy.
- 2. PROCEDURES.**
  - a. VA policy is to implement EMS(s) at appropriate facilities and at appropriate organizational levels as the primary management approach for addressing environmental compliance and the environmental aspects of VA's operations and activities, including the environmental aspects of energy and transportation functions. These EMSs must reflect the framework of the ISO 14001:2015 standard.
  - b. An effective EMS requires communication throughout the organization. This communication should include the use of interdisciplinary teams to define, implement and maintain the EMS; and clear articulation of environmental roles and responsibilities throughout and among all levels of an organization. Furthermore, because suppliers and contractors play an important role in VA's ability to achieve its mission, articulation of roles and responsibilities extends to any suppliers and contractors whose activities are covered by the EMS.
  - c. Environmental objectives and targets must be created to ensure that sustainable practices are being developed and implemented throughout the organization. Where appropriate, they should address reducing environmental impacts of major, minor, station-level and non-recurring maintenance construction projects; reducing greenhouse gas emissions; reducing energy consumption; reducing water consumption; increasing the use of renewable energy; reducing petroleum consumption; reducing solid waste generation; reducing the purchase and use of toxic or hazardous chemicals; increasing the use of alternative fuels; improving electronics stewardship; and procuring green products. Targets addressing significant environmental aspects must be specific and measurable over time so that progress may be monitored.
  - d. Objectives and targets must be incorporated, where applicable, into environmental programs created and implemented at each appropriate level (Department, Administration, Staff Office, function and/or facility).
  - e. An EMS must include a formal process for Administration, Staff Office and facility senior managers to review their system. Management reviews must be conducted at least annually. Reviews should be designed to focus management's attention on EMS implementation and effectiveness, including progress on phased implementation, continual improvement of the system and consideration of organizational changes that have impacted its design or other attributes. The structure and content of management reviews will vary with the



size and nature of the organization or facility being reviewed. Results of the management reviews should be documented.

- f. Individuals qualified to conduct an EMS audit may include contractors or government employees that are not assigned to the organization or facility covered by the EMS. These qualified individuals must have completed some level of audit training and have an understanding of EMS principles and elements.
- g. The lead evaluator for EMS audits must have at least one of the following qualifications:
  - (1) Completion of formal training in performing EMS audits; or
  - (2) Credentials as a Certified ISO 14001 Lead Auditor.

### **3. STRATEGIES, TOOLS AND RELATED RESOURCES.**

- a. [VHA Green Environmental Management System \(GEMS\) Guidebook](#). The GEMS Guidebook represents a systematic approach to environmental management, providing a framework to weave existing environmental programs into Veterans Health Administration's (VHA) Environment of Care management processes, which enables the organization to achieve continual improvement in performance.
- b. International Standard Organization (ISO) 14001:2015, Environmental Management Systems. The ISO 14001:2015 Environmental Management Systems standard exists to help organizations: (1) minimize how their operations (processes etc.) negatively affect the environment (i.e., cause adverse changes to air, water or land); (2) comply with applicable laws, regulations and other environmentally-oriented requirements; and (3) strive for continual improvement. Note ISO charges a fee for purchasing the standard. <https://www.iso.org/iso-14001-environmental-management.html>
- c. The FedCenter EMS Program Area includes the latest guidance, examples and resources for the development and implementation of processes and practices that enable an organization to reduce its environmental impacts and increase its operating efficiency. [https://www.fedcenter.gov/kd/go.cfm?destination=Page&Pge\\_ID=1863](https://www.fedcenter.gov/kd/go.cfm?destination=Page&Pge_ID=1863)
- d. How to Develop an EMS. EPA's EMS basics website includes reasons to develop an EMS, how to develop an EMS, costs and benefits, etc. <https://www.epa.gov/ems/guide-developing-environmental-management-system-plan>
- e. Aligning NEPA Processes with EMS – A Guide for NEPA and EMS Practitioners. While elements of this guide are outdated, it provides useful examples of how NEPA and EMS together can help Federal agencies more effectively manage

their environmental responsibilities. For example, identifying environmental aspects in the development of an EMS can build on aspects identified in previous NEPA analyses. Conversely, a new NEPA analysis can consider the identified environmental aspects in an EMS when assessing potential environmental impacts of a proposed future action.

<https://www.energy.gov/nepa/downloads/aligning-national-environmental-policy-act-process-environmental-management-systems>

- f. Integrating Green Purchasing into your EMS. While some elements of this report are outdated, much of its content can help Federal facilities to integrate green purchasing into their EMS. The intended audience includes those tasked with implementing an EMS, reducing environmental impacts, meeting green purchasing requirements and/or buying products and services in a Federal facility. <https://www.epa.gov/greenerproducts/integrating-green-purchasing-your-environmental-management-system-ems>

## APPENDIX H — IMPLEMENTING EMSs AT APPROPRIATE ORGANIZATIONAL LEVELS

1. **Purpose.** This appendix is derived from previous Federal-wide guidance that can assist organizations in VA and other Federal agencies in implementing an EMS at appropriate organizational levels, per EMS-related policy in Section 2.g. of this directive. It can help Federal agencies in:
  - a. Identifying how they manage their environmental responsibilities throughout their agency and
  - b. Determining at what level or levels of their organization is appropriate to implement an EMS or EMSs.
2. **Managing Federal Agency Environmental Responsibilities.** Federal agencies manage their environmental responsibilities at multiple levels, including highest, middle and lowest levels.
  - a. **Highest level:** Federal agency or department headquarters-level (the cabinet-level or other top management level). At the highest level, a Federal agency headquarters has some inherent environmental management responsibilities relative to implementation of EMS-related policy. These responsibilities include:
    - (1) Establish agency-wide policies;
    - (2) Establish agency-wide objectives and targets (e.g., environment, energy, fleet);
    - (3) Communicate how the agency is organized and managed on a day-by-day basis, including identification of responsibility for addressing objectives and targets;
    - (4) Ensure accountability for environmental management and establish performance measures;
    - (5) Establish reporting mechanisms that promote accountability for environmental management and measures performance; and
    - (6) Collect, analyze and report agency-wide performance information.

**NOTE:** The agency headquarters may also choose to provide procedural guidance (model procedures, templates, spreadsheets) or establish agency-wide management programs to address certain environmental aspects, such as environmental aspects of energy use, acquisition and procurement and fleet, facilities and electronics management.
  - b. **Middle level(s):** Bureaus, services, commands, administrations or other sub-agency organizations (there may be more than one level here). At the middle

level(s) between the highest and lowest levels, the bureaus, services, commands, administrations or other sub-agency organizations also assume roles in managing the environmental responsibilities of the agency. (There may be more than one tier of such “sub-agency” management organizations.) The middle level(s) should adopt or make reference to agency requirements and may also:

- (1) Establish environmental policy for the sub-agency, within the agency-wide policy;
  - (2) Establish sub-agency objectives and targets to address agency-wide objectives and targets;
  - (3) Address its unique set of significant environmental aspects;
  - (4) Establish procedures for the sub-agency organization;
  - (5) Allocate funding and staffing resources necessary to ensure EMS implementation and successful pursuit of objectives and targets; and
  - (6) Collect, analyze and report sub-agency performance information.
- c. **Lowest level:** Field facilities or field-level organizations. At the lowest level, field facilities or field-level organizations are where most agency activities are performed, products are created and services are provided. The lowest level should adopt or make reference to higher level requirements and may also:
- (1) Establish environmental policy for the facility or field level organization, within the agency-wide policy and that of any applicable middle level(s);
  - (2) Identify environmental aspects of its activities (including energy and fleet);
  - (3) Identify legal and other requirements applicable to that organization’s aspects;
  - (4) Establish environmental objectives and targets;
  - (5) Implement environmental programs to achieve those objectives and targets;
  - (6) Implement operational controls for activities which could cause significant environmental impacts;
  - (7) Provide training to employees whose activities could cause significant environmental impacts;
  - (8) Conduct internal audits of the EMS; and

- (9) Conduct annual reviews with top management (at that level) to ensure the continuing adequacy, suitability and effectiveness of the EMS.

### **3. Questions to Consider When Choosing the Appropriate Organizational Level.**

As an agency examines the levels at which management functions are best-accomplished and where implementation of an EMS would be appropriate, there are several factors and issues to consider. The following list provides examples of questions that an agency can use to consider in determining the levels at which management functions are best accomplished.

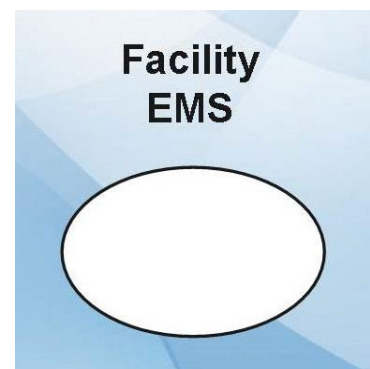
- a. How are other management functions, such as budget or strategic planning, carried out? Are they centralized? Decentralized?
- b. Are operations and activities somewhat standardized and uniform throughout the agency or sub-organization?
- c. Does the agency or any of its sub-agencies have facilities with significant environmental aspects with on-site staff?
- d. Does the agency or any of its sub-agencies have many facilities conducting similar activities?
- e. At what level(s) do significant environmental aspects occur?
- f. At what level(s) are significant environmental aspects controlled (including budget and resource allocation and operational decisions)?
- g. Are some environmental aspects of functions managed at different levels than others (e.g., hazardous chemicals, fleet management and building design and construction)?
- h. What level(s) is (are) most appropriate for providing guidance?
- i. What level(s) would benefit from established, common procedures?
- j. What level(s) are appropriate to establish such common procedures?
- k. What are opportunities for economies of scale and to reduce duplication of effort and at what level(s) do those opportunities exist?
- l. What actions can be taken and at which level(s), to best ensure ownership of the EMS at the operational level?

#### 4. Appropriate Organizational Levels for EMS.

- a. In order to implement EMSs at appropriate organizational levels, Federal agencies must examine how the EMS process can be used to better manage their environmental responsibilities and compare it to how environmental responsibilities are currently managed. That examination is intended to identify any gaps in their agency-wide system for managing environmental responsibilities and identify ways to improve the efficiency and effectiveness of the EMSs they implemented previously. Results of that effort may indicate a need to implement an EMS or EMSs at the higher or middle levels of the agency.
- b. The purpose of implementing EMSs at organizational level(s) higher than those at which EMSs were established would generally be to document and address environmental functions that are performed at those higher organizational levels. Such EMSs would then simply overarch but not replace any of those lower level EMSs. Please see Section 5 *EMS Typology* below for additional guidance on EMS structuring.
- c. Higher-level organizational EMSs align environmental policies and goals throughout an agency. They also provide opportunities to realize economies of scale such as developing and providing training, tools and templates for one or more higher organizational levels, instead of independently developing those materials for each EMS. For example, EMS procedures can be centrally-developed and provided to lower level EMSs to tailor for their own specific needs, as can training for the leadership, policy, general awareness and environmental management representative elements of the EMS. Agencies can also choose to standardize nomenclature to help foster a better and more common understanding of the environmental risks associated with its activities, products and services, as well as those of its contractors and concessionaires.

**5. EMS Typology.** The typology below describes three basic, generic types of management systems that together can be used to depict the architecture for how an agency's EMSs and EMS responsibilities will be deployed throughout their agency. It is intended to encompass both existing, new and/or additional EMSs that might be used to fill the gaps in an agency's overall EMS; and follow the fundamental ISO 14001 approach of implementing EMS within any form of an "organization," rather than to prescribe a rigid box or redefine that approach.

- a. **Facility EMS:** This is the traditional facility-level or site-level EMS. The scope is typically defined by a single organization, with its activities defined by a discrete "fence-line." In ISO 14001 terms, the "organization" covered is located at a single site.



- b. **Multi-Site Organization EMS:** The scope of this EMS is an organization that has multiple facilities or operating units or subordinate organizations. The key attribute for a Multi-Site Organization EMS is that the environmental aspects of all the activities, products and services of all the units are managed as part of a single EMS. This is due to the organization having a defined central function at which certain activities are planned controlled and managed and a network of local offices, branches or locations at which such standardized activities are fully or partially carried out. Functionally, this EMS must still reach workers at all of the facilities, units, subordinate organizations and the activities, products and services performed and provided by the organization.



- c. **Higher-Tier EMS:** In this typology, the lowest level (i.e., the field facilities or field-level multi-site organizations) maintain their own EMSs. However, an additional Higher-Tier EMS is created to address issues which are best addressed at that higher level, which can be either a middle level or the highest level of the agency. The scope of the Higher-Tier EMS does not necessarily encompass all of the EMS elements of the lowest level under it, just those best addressed and/or implemented at that higher level of the organization. Note that a Higher-Tier EMS can overarch another Higher-Tier EMS.

