

This environmental regulatory alert is provided for your information from the Department of Commerce Environmental Manager. This alert provides information about a change in environmental law or regulation that may impact your operations.

REGULATORY ALERT #2004-0001 Comprehensive Procurement Guideline IV

General: The Environmental Protection Agency (EPA) added seven more items to its Comprehensive Procurement Guidelines (CPG), as reported in the Federal Register on April 30, 2004. A copy of this Federal Register notice is available on-line at <http://www.ofee.gov/>. In addition, the final rule or CGP-IV revised the designations for three items, including cement and concrete, railroad grade crossing surfaces, and polyester carpet.

Final Designated Items:

Construction Products

Modular threshold ramps, containing recovered steel, aluminum, or rubber, used to modify existing door thresholds and other small rises to remove access barriers created by differentials in landing levels.

Non-pressure pipe, containing recovered steel, plastic, or cement, used to channel cable and conduit in various applications.

Roofing Materials

Roofing materials, containing recovered steel, aluminum, fiber, rubber, plastic or plastic composites, or cement, used to construct a protective cover over a structure to shield its interior from the natural elements.

Non-paper Office Product

Office furniture, containing recovered steel, aluminum, wood, agricultural fiber, or plastic, used in offices, including seating, desks, storage units, file cabinets, tables, and systems furniture or cubicles.

Vehicular Products

Rebuilt vehicular parts that have been re-manufactured, reusing parts in their original form.

Miscellaneous

Bike racks, containing recovered steel or plastic, that are free-standing or anchored units that provide a method for cyclists to secure their bicycles safely.

Blasting grit, containing recovered steel, coal and metal slag, bottom ash, glass, plastic, fused alumina oxide, or walnut shells used as an industrial abrasive used to shape, cut, sharpen, polish, or finish surfaces and materials.

Revised Items:

Cement and Concrete

Cenospheres and silica fume were added as recovered material options for cement and concrete products. Cenospheres are very small, inert, hollow, glass spheres composed of silica and alumina and filled with air or gases. They are a naturally-occurring waste components of coal fly ash. Silica fume is a waste byproduct of alloyed metal production.

Polyester Carpet

Recovered polyester fiber is designed for moderate end-uses as defined by the Carpet and Rug Institute (CRI). These CRI end-uses include single-family housing and similar wear applications. The EPA originally proposed the use of polyester carpet for various end-use classifications to include private offices. Since the proposal, the CRI End-Use Classifications were revised. The revision classifies private offices as heavy- and severe-use applications. Due to these changes and based on comments from the public, the final CPG designation for polyester carpet was revised to remove references to heavy-wear applications and private offices.

Railroad Grade Crossing Surfaces

The EPA revised the options for railroad grade crossing surfaces to include those made from cement and concrete containing fly ash, recovered rubber, recovered steel, recovered wood, or recovered plastic.

Key Requirements:

Under Section 6002 of the Resource Conservation and Recovery Act and Executive Order 13101, "Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition," EPA is required to designate products that are or can be made with recovered materials and provide recommendations to procuring agencies for purchasing those items. Procuring agencies are required to purchase the EPA-designated items containing recovered materials given reasonable competition and product price, performance, and availability. EPA has published four CPGs since May of 1995. Additional information about the newly listed items and all CPG items can be found on-line at <http://www.epa.gov/cpg>.

Additional Information: For general information contact the RCRA Call Center at (800) 424-9346. In the Washington, DC metropolitan area, call (703) 412-9810. For technical information on individual item designations, contact Terry Grist at (703) 308-7257 or Sue Nogas at (703) 308-0199. If you have any questions or concerns about this alert, please contact the Department Environmental Manager, Peter Wixted, at (202) 482-3444, or via e-mail pwixted@doc.gov.