



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 18 2004

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

MEMORANDUM

SUBJECT: Recommended Chemicals To Begin Implementation of Section 503 of E.O. 13148

FROM: Susan B. Hazen 
Principal Deputy Assistant Administrator

TO: John Howard
Federal Environmental Executive

As you are aware, Section 503(b) of Executive Order 13148 (Greening the Government Through Leadership In Environmental Management) states that:

“Within 9 months of the date of this order [April 26, 2000] the [EPA] Administrator, in coordination with the Workgroup established in section 306 of this order, shall develop a list of not less than 15 priority chemicals used by the Federal Government that may result in significant harm to human health or the environment and that have known, readily available, less harmful substitutes for identified applications and purposes.”

The order further states in subsection (a) that:

“Within 18 months of the date of this order each agency with facilities shall develop and support goals to reduce the use at such agency’s facilities of the priority chemicals on the list under subsection (b) of this section for identified applications and purposes, or alternative chemicals and pollutants the agency identifies under subsection (c) of this section, by at least 50 percent by December 31, 2006.”

EPA’s Office Directors’ Multi-media and Pollution Prevention Forum (M2P2) has discussed the issue of stimulating action under the Executive Order and recommended to me that five substances currently identified by the Interagency Workgroup would constitute a viable starting point for implementing this important work by federal facilities. Such action would also complement efforts of the Agency’s National Waste Minimization Partnership Program on these same substances. I posed this recommendation to my counterparts in EPA management and all that responded support this action. Several provided helpful comments and offers of assistance that I have attached for your information.

Therefore, on behalf of EPA, I recommend that Federal agencies subject to Section 503(b) of Executive Order 13148 begin their efforts by focusing on five substances that meet the priority list criteria. These substances are: Cadmium, Lead, Polychlorinated Biphenyls (PCBs), Mercury, and Naphthalene. This recommendation is the result of an Agency-wide deliberative process. These substances are also part of a larger set of substances under the Resource Conservation Challenge - a voluntary pollution prevention and energy conservation initiative under EPA's National Waste Minimization Partnership Program. Therefore, your efforts to promote government-wide prevention actions will complement the Agency's larger mission to achieve release reductions of these and other substances.

We look forward to working with you and the Federal Facilities to reduce uses and releases of these priority chemicals. Please feel free to contact me (202-564-2902) or Charlie Auer, Director of the Office of Pollution Prevention and Toxics (202-564-3810) with any questions or to discuss further.

Attachments

cc: Administrator
Acting Deputy Administrator
Assistant Administrators
Regional Administrators
M2P2 Members

Text of Email Message

Barry Breen

Sent by: Carolyn Hoskinson

01/16/04 05:00 PM

To: Susan Hazen/DC/USEPA/US@EPA, Sandy
Evalenko/DC/USEPA/US@EPA

cc: Robert Springer/DC/USEPA/US@EPA, Jim
Berlow/DC/USEPA/US@EPA

Subject: Reducing Chemical Use at Federal Facilities

I appreciate the opportunity to comment on the initial list of five chemicals that would begin implementation of Executive Order 13148. We agree that putting this list in place is a good idea, even with just five of the fifteen chemicals envisioned by the Executive Order. This allows the process of complying with the goals to be piloted and developed by the various Federal entities. This will speed the compliance process for any new chemicals we can add to the list later. The five chemicals chosen certainly rank among the highest priorities for the Agency. As you have noted in your request for comment, four of the five are on the list of priority chemicals list initially developed by OSWER, but validated as Agency priorities through the M2P2 process. We also support the inclusion of PCBs on the list.

We would like to suggest one refinement in our concurrence on the list. While the Executive Order requires that federal facilities seek to reduce their use of these chemicals by 50%, it is somewhat vague on how facilities should achieve that goal. In many cases, the goal could be achieved by simply extending the life of current products or by recycling those products while continuing to buy the same products, in lesser quantities, with the same content of priority chemicals.

We would encourage federal facilities to go beyond this and try to put in place modifications to their procurement specifications to encourage the total replacement of products containing priority chemicals where feasible alternatives exist. We would be happy to explore opportunities with John Howard to develop government-wide procurement guidelines for some of the most common products we would like to see replaced with less hazardous alternatives. Perhaps the Design for the Environment staff and others across EPA and other federal agencies could also be helpful to John Howard and his staff in crafting those

guidelines.

If you have any questions regarding these comments, your staff can contact Mary Jackson in OSW on 703-308-8453.

Text of email message

To: Susan Hazen
cc: Will Garvey, Sandy Evalenko

Subject: OEI Response Re: Reducing Chemical Use at Federal Facilities

Thank you for the opportunity to comment on the proposed list of chemicals targeted for reduced use by Federal Agencies by fifty percent by December 31, 2006. The Office of Environmental Information (OEI) has no objection to the proposed list of five chemicals. Additionally, the Office supports your recommendation that EPA formally endorse the Federal efforts to reduce the use of the listed chemicals.

My Office would like to continue to support this effort to the extent possible. As you may know, OEI's Office of Information Analysis and Access (OIAA) has done some of the analytical background work for this effort. OIAA worked with Federal Facilities Enforcement Office (FFEO) to help federal facilities set 2001 data as the baseline to measure total reductions of Toxic Release Inventory (TRI) releases (on- and off-site) and off-site transfers for treatment by 10% annually or 40% overall by December 31, 2006 as required EO 13148. They also performed data runs for 1999 through 2002 and provided these to all federal agencies.

Finally, EPA's web portal for Mercury is under development. When launched, the portal will be a consolidated website source for Mercury-related information. Since Mercury is one of the five listed, this web portal should be of use to Federal Agencies as they go about reducing the use of this element.

Again thank you for the opportunity to comment and please feel free to contact me on 564-6665, or Julie Winters on 564-8848.

Linda Travers
Principal Deputy Assistant Administrator
Office of Environmental Information



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

February 9, 2004

REPLY TO THE ATTENTION OF:

D-8J

MEMORANDUM

SUBJECT: Reducing Chemical Use at Federal Facilities

FROM: Margaret M. Guerriero /Signed/
Division Director

TO: Susan B. Hazen
Principal Deputy Assistant Administrator

Thank you for the opportunity to comment on the initial list of chemicals to be provided to John Howard as called for under Executive Order 13148. By this message, Region 5 is providing comments on that list and information provided with your January 7, 2004 memorandum.

Region 5 enthusiastically supports the reduction in use of the chemicals identified on the initial list. We are particularly supportive of reductions related to the use of mercury, lead, cadmium, and PCBs. For several years, Region 5 has worked to encourage reductions of PCB used in electrical equipment and owned by the Federal government nationwide. The inclusion of PCBs on the initial list of substances strongly supports Region 5's efforts in this area.

We also strongly support a continuing relationship between the Interagency Workgroup and EPA, through the M2P2, to identify additional chemicals. It is our hope that, beyond the identification of chemicals, the relationship between the Interagency Workgroup and the M2P2 will provide a venue for exploring other opportunities to further reduce toxic chemicals within the federal facility community. For instance, perhaps through the Interagency Workgroup, reductions in lead and mercury in electronic equipment components (e.g. lead in personal computers, and mercury used for backlighting in screens) could be advanced. Such reductions are likely to be considered disposal related issues rather than "in-use" issues and therefore may not strictly be relevant to the current focus of the Interagency Workgroup. Such issues could be addressed with the Interagency Workgroup in the future.

Region 5 recommends that the chemical category of "Naphthalene" be expanded to "pesticides". In reference to the table attached to your January 7, 2004 memorandum, the suggested alternative for reducing the use of naphthalene as a pesticide is Integrated Pest Management. Region 5 feels that the emphasis for reducing pesticide use should be on the *approach* - implementation of Integrated Pest Management strategies - rather than on individual

chemicals or pesticides. Emphasizing integrated pest management strategies as an approach would be a much more effective way for the government to “green” its use of pesticides because it addresses uses of other pesticides, including some of those that may pose greater hazards, without raising concerns about placing a registered pesticide on a target list for reduction.

Region 5 suggests that after the initial list of chemicals is provided to Mr. Howard, that EPA give particular attention to how the communication of information and issues related to the Interagency Workgroup’s efforts is coordinated within EPA, particularly to key individuals within Headquarters Program and Regional Offices. By ensuring that an effective communication network exists, we may all better recognize the accomplishments made within the federal facility community, identify where particular assistance might be helpful, coordinate activities nationwide, and recommend issues for consideration.

cc: Bharat Mathur
Deputy Regional Administrator