



**Clean
Hawaii
Center**

**STATE OF HAWAII
Department of Business, Economic Development & Tourism
Energy, Resources & Technology Division**

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Buying Recycled Products in Hawaii Fact Sheet

Why, Who and Where to Buy Recycled in Hawaii

Why Buy Recycled?

- It's mandated by the Federal Government and the State of Hawaii (See the Executive Orders and Hawaii Revised Statutes summarized below).
- Making products with recycled material rather than raw materials helps to conserve resources and energy, prevents pollution and creates jobs.
- Buying recycled ensures that natural resources are not wasted, captures the economic potential of what we throw away, and may promote goodwill among employees and citizens.
- Purchasing recycled content products helps maintain market demand for the materials that we do not want in our landfill and ensures the continuation of recycling programs everywhere.

FEDERAL LEVEL:

- **Executive Order (EO) 13101:** In September 1998 president Clinton signed Executive Order (EO) 13101, "Greening the Government through Waste Prevention, Recycling, and Federal Acquisition." This order requires federal agencies to give preference in their procurement programs to the purchase of recycled content products identified in Environmental Protection Agency's Comprehensive Procurement Guidelines.
- **Acquisition Planning:** Section 401 of Executive Order 13101 requires procuring agencies to consider a multitude of environmental factors when developing plans, specifications, or product descriptions. Such factors include:

Elimination of Virgin Materials	Use of Environmentally Preferable Purchasing	Use of Biobased Products
Life Cycle Cost	Reuse of Product	Use of Recovered Materials
Recyclability	Waste Prevention	Ultimate Disposal

- **Comprehensive Procurement Guidelines (CGP):** The CGP program is authorized by Congress under Section 6002 of the Resource Conservation and Recovery Act (RCRA) and Executive Order 13101. The procurement program requires the Environmental Protection Agency (EPA) to designate products that are or can be made with recovered materials, and to recommend practices for buying the products. Listed below are the 8 categories of designated products identified in the guidelines:

Paper & Paper Products	Landscaping Products
Non-Paper Office Products	Park & Recreation Products
Transportation Products	Construction Products
Vehicular Products	Miscellaneous Products

Who is Required to Comply?

- **Procuring Agencies:** Under the RCRA, the buy-recycled requirements apply to federal, state and local agencies and contractors.
 - Federal agencies are considered as a whole and are always procuring agencies. For example, the entire Department of defense is a procuring agency for RCRA applicability purposes.
 - State or local agency is a procuring agency when it uses federal funds for procurement of an EPA designated item. The federal funds includes grants, loans, cooperative agreements, or other accounts or projects which are derived from federal funds.
 - Contractors are designated as procuring agencies when they are contracting with federal, state, or local agencies using federal funds for procurement.
- **When Purchasing \$10,000 or More of a CPG Designated Product:** RCRA section 6002(a) states that a procuring agency must comply with the requirements set forth in this section when purchasing or acquiring an item where the purchase price of the item exceeds \$10,000, or where the quantity of such items purchased or acquired in the preceding fiscal year was \$10,000 or more.

STATE LEVEL:

Hawaii Procurement Code [HRS 103D-1005 Recycled Products]: The State procurement code requires State and County purchasing agencies to:

- Purchase products with recycled content
- Be consistent with Federal regulations, such as EO 13101 and RCRA
- Purchase materials that can be recycled or reused

Governmental Reporting [HRS 342G-43]: Each State agency conducting procurement activities must annually submit information and data to the office of Solid Waste Management, State of Hawaii Department of Health, regarding:

- The progress of the agency in developing procurement programs
- The total amount of paper purchased during the year
- The amount of recycled goods purchased during the year compared to non-recycled counterparts

Resources:

1. A Guide to implementing Executive Order 13101: <http://www.eren.doe.gov/femp/resources/pdfs/greengov.pdf>
2. EPS's EO 13101 web-site: <http://www.epa.gov/opptintr/epp/documents/docback.htm>
3. EPA's CPG web-site: <http://www.epa.gov/cpg>
4. Hawaii Revised Statutes: http://www.capitol.hawaii.gov/hrscurrent/Vol06_Ch0321-0344/HRS0342G/HRS_0342G-1005.htm and http://www.capitol.hawaii.gov/hrscurrent/Vol06_Ch0321-0344/HRS0342G/HRS_0342G-0043.htm
5. Hawaii Buy-Recycled Guides: <http://www.state.hi.us/dbedt/ert/chc/brg02.html> www.state.hi.us/dbedt/ert/greenproducts

Contact Information:

For information regarding HRS 342G-43, contact:

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For information on products in compliance with these regulations and the "Hawaii Buy-Recycled Guide" contact:

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