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ENVIRONMENTAL PROTECTION AGENCY

[SWH-FRL-6108-7]

Recovered Materials Advisory Notice I Update

AGENCY: Environmental Protection Agency.

ACTION: Notice of availability of document.

SUMMARY: The U.S. Environmental Protection Agency (EPA) today is providing notice of the issuance of an update to its May 1, 1995 Recovered Materials Advisory Notice I (RMAN I). The update to RMAN I (RMAN I Update) provides guidance to procuring agencies for purchasing certain items containing recovered materials. Under section 6002 of the Resource Conservation and Recovery Act of 1976, EPA designates items that are or can be made with recovered materials and provides recommendations for the procurement of these items. In 1989, EPA designated building insulation products and in 1995, EPA designated polyester carpet for use in low- and medium-wear applications. EPA's recommendations for purchasing these items were published in the 1995 RMAN I. Today's RMAN I Update contains a new reference to GSA's carpet schedule and a recommendation for the recovered materials content level for plastic batt building insulation. EPA's 1995 recommendations for purchasing other types of building insulation remain unchanged.

FOR FURTHER INFORMATION CONTACT: For general information contact the RCRA Hotline at (800) 424-9346 or TDD (800) 553-7672 (hearing impaired). In the Washington, DC metropolitan area, call (703) 412-9810 or TDD (703) 412-3323. For technical information on individual item recommendations, contact Terry Grist at (703) 308-7257.

SUPPLEMENTARY INFORMATION:

I. Authority

The Recovered Materials Advisory Notice I Update (RMAN I Update) is issued under the authority of sections 2002(a) and 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (RCRA), as amended; 42 U.S.C. 6912(a) and 2962; and section 502 of Executive Order 12873 (58 FR 54911, October 20, 1993).

II. Background

Section 6002 of RCRA establishes a Federal buy-recycled program. RCRA section 6002(e) requires EPA to (1) designate items that are or can be made with recovered materials and (2) prepare guidelines to assist procuring agencies in complying with affirmative procurement requirements set forth in paragraphs (c), (d), and (i) of section 6002. Once EPA has designated items, section 6002 requires that any procuring agency using appropriated Federal funds to procure those items must purchase them composed of the highest percentage of recovered materials practicable. For the purposes of RCRA section 6002, procuring agencies include the following: (1) any Federal agency; (2) any State or local agencies using appropriated Federal funds for a procurement, or (3) any contractors with these agencies (with respect to work performed under the contract). The requirements of RCRA section 6002 apply to such procuring agencies only when procuring designated items where the price of the item exceeds \$10,000 or the quantity of the item purchased in the previous year exceeded \$10,000.

Executive Order 12873 (the Executive Order) (58 FR 54911, October 22, 1993) directs EPA to designate items in a Comprehensive Procurement Guideline (CPG) and publish guidance that contains EPA's recommended recovered content levels for the designated items in the RMANs. The Executive Order further directs EPA to update the CPG annually and the RMANs periodically to reflect changes in market conditions. EPA codifies the CPG designations in the Code of Federal Regulations (CFR), but, because the recommendations are guidance, the RMANs are not codified in the CFR. This process enables EPA to revise its recommendations in response to changes in a product's availability or recovered materials content so as to provide timely assistance to procuring agencies in fulfilling their responsibilities under section 6002.

EPA issued CPG I on May 1, 1995 (60 FR 21370) designating 19 new items, including polyester carpet, and published RMAN I for the designated items on the same day (60 FR 21386). These notices also consolidated the guidelines previously issued for five items designated between 1983 and 1989, including building insulation products. At the time the 1995 RMAN I was published, the U.S. General Services Administration (GSA) offered polyester carpet containing recovered materials through the New Item Introductory Schedule (NIIS). RMAN I referenced that schedule. Since then,

GSA has added polyester carpet containing recovered materials to its carpet schedule, and this item is no longer available through the NIIS. Accordingly, today's RMAN I Update references the current GSA carpet schedule.

Additionally, the RMAN I Update contains an addition to the 1995 recommendations for building insulation products—recovered materials content levels for plastic non-woven batt building insulation. EPA recently learned that this type of insulation is now available containing recovered materials. EPA's 1995 recommendations for other types of building insulation products remain unchanged.

III. Accessing Internet

EPA's Comprehensive Procurement Guidelines and eco-purchasing web pages contain fact sheets about each product category in which EPA has designated recycled content products, lists of manufacturers and vendors of these products, copies of the Comprehensive Procurement Guidelines and related RMANs, and technical background documents.

Follow these instructions to access the information electronically:

WWW: <http://www.epa.gov/epaoswer/non-hw/procure.htm>.

FTP: [ftp.epa.gov](ftp://ftp.epa.gov)

Login: anonymous

Password: your Internet address

Files are located in /pub/epaoswer.

IV. Use of EPA's Recommendations

EPA encourages state and local agencies to use the recommendations in today's RMAN I Update when purchasing plastic batt building insulation or polyester carpet containing recovered materials. EPA also encourages private sector purchasers to use the information provided by EPA when purchasing these items. EPA recommends that purchasers establish their minimum content standards at the highest percentages available to them that achieve their price and performance objectives, even if these standards are higher or lower than EPA's recommendations. If a product is not available at a competitive price containing the recommended recovered material content levels, purchasers should set their standards at the highest levels available to them that meet their price and performance objectives. In this way, EPA's recommendations will encourage both public and private sector purchasers to purchase the designated items containing the highest levels of recovered material practicable.

EPA cautions persons using EPA's recommendations to use them only for the *specific items* for which they were intended. It is not appropriate to analogize from one type of insulation or carpet to another without first researching the use of recovered materials in the other items. The two items could have different performance requirements necessitating different levels of recovered materials.

Dated: June 1, 1998.

Timothy Fields, Jr.,

Acting Assistant Administrator, Office of Solid Waste and Emergency Response.

Recovered Materials Advisory Notice I Update

Following are updates to EPA's recommendations to procuring agencies for purchasing polyester carpet and building insulation products containing

recovered materials, in compliance with section 6002 of the Resource Conservation and Recovery Act (RCRA). These recommendations are intended to be used in conjunction with RMAN I (60 FR 21386, May 1, 1995). The remainder of the RMAN I recommendations for these items remains unchanged. Refer to RMAN I or the Code of Federal Regulations at 40 CFR part 247 for definitions, general recommendations for affirmative procurement programs, and additional recommendations for purchasing these items containing recovered materials.

Part C.—Construction Products (Revised)

Section C-1. Building Insulation (Revised)

Note: EPA recommended purchasing practices, including recovered materials

content levels, for thermal building insulation products in RMAN I. EPA is revising those recommendations by adding a recovered materials content level for plastic batt building insulation. Procuring agencies should substitute the revised Table C-1 shown below for the recommendations found in section C-1 of the 1995 RMAN I. EPA's revised recommendations are indicated in **Bold** type.

Preference Program: EPA recommends that, based on the recovered materials content levels shown in Table C-1 (Revised), procuring agencies establish minimum content standards for use in purchasing building insulation products.

TABLE C-1. (REVISED)—RECOMMENDED RECOVERED MATERIALS CONTENT LEVELS FOR BUILDING INSULATION

Insulation material	Recovered material	Total recovered materials (%)
Cellulose loose-fill and spray-on	Postconsumer paper	75
Fiberglass	Glass cullet	20-25
Perlite composite board	Postconsumer paper	23
Phenolic rigid foam	Recovered materials	5
Plastic, non-woven batt	Recovered and/or postconsumer plastics	100
Plastic foam-in-place, polyisocyanurate/polyurethane	Recovered materials	5
Plastic rigid foam, polyisocyanurate/polyurethane	Recovered materials	9
Plastic foam, glass fiber reinforced polyisocyanurate/polyurethane.	Recovered materials	6
Rock wool	Slag	75

Note: The recommended recovered materials content levels are based on the weight (not volume) of materials in the insulating core only.

Section C-4. Carpet (Revised)

Note: EPA recommended purchasing practices, including specifications, for polyester carpet in RMAN I. EPA is revising these recommendations to add a reference to the General Services Administration's carpet schedule and the current contract for polyester carpet containing recovered materials. All of EPA's other purchasing recommendations for polyester carpet, found in the 1995 RMAN I, remain unchanged.

Preference Program: EPA recommends that Federal procuring agencies use GSA's contract GS-27F-5069-C under Schedule 72, part I, section A, when purchasing polyester carpet containing recovered materials.

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FEDERAL COMMUNICATIONS COMMISSION

[DA 98-1052]

Pleading for Further Modification of Two Average Schedules Formula Proposed by NECA

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: This Public Notice invites interested parties to comment on the National Exchange Carrier Association's (NECA) proposed further modifications of Common Line and Universal Service Fund Average Schedules.

DATES: Comments are to be filed on or before June 10, 1998.

ADDRESSES: Federal Communications Commission, 1919 M Street, NW, Washington, DC 20054.

FOR FURTHER INFORMATION CONTACT: George Williams, Accounting Safeguards Division, Common Carrier Bureau, (202) 418-0867.

SUPPLEMENTARY INFORMATION: The Accounting Safeguards Division of the Federal Communications Commission will be considering this action. Interested parties may file comments on the petition on or before June 10, 1998, with the Secretary, Federal Communications Commission, 1919 M Street, NW, Room 222, Washington, DC 20554. Comments should reference AAD 98-20. An original and nine (9) copies of each pleading should be sent to the Secretary, Federal Communications Commission, 1919 M Street, NW, Room 222, Washington, DC 20554. A copy of the pleading should also be sent to George Williams, Reporting Management and Analysis Branch, Accounting Safeguard Division, Common Carrier Bureau, and to the Commission's contractor for public service record duplication: International Transcription Service (ITS), 1231 20th Street, NW, Washington, DC 20036. Copies of the petition may be obtained from the Accounting Safeguards Division's public reference room, Room 812, 2000 L Street, NW, Washington, DC