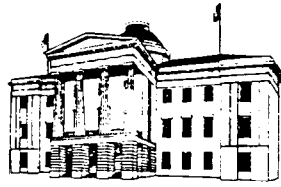


State of North Carolina



JAMES B. HUNT JR.
GOVERNOR

EXECUTIVE ORDER NO. 156
STATE GOVERNMENT ENVIRONMENTAL SUSTAINABILITY,
REDUCTION OF SOLID WASTE, AND
PROCUREMENT OF ENVIRONMENTALLY PREFERABLE PRODUCTS

WHEREAS, the natural resources of the State of North Carolina are the common property of all the people and the State, as trustee of these limited resources, shall preserve them for the benefit of all the people, including future generations; and

WHEREAS, the growth of North Carolina's economy and the quality of life, health, and safety of its citizens are dependent on the careful stewardship of natural resources and protection of the environment; and

WHEREAS, the daily activities and routine operations of the State have a significant impact on the quality of North Carolina's environment and use of its natural resources; and

WHEREAS, the State is a highly visible model for North Carolina's citizens, businesses, industries, and local governments; and

WHEREAS, the State can demonstrate leadership by incorporating environmentally sustainable practices into its operations that preserve natural resources, conserve energy, eliminate waste and emissions, and lessen overall environmental impact; and

WHEREAS, source reduction, reuse, and recycling constitute a key component of environmental sustainability directed at achieving the State's solid waste reduction goal of 40% by the year 2001; and

WHEREAS, the State constitutes a large consumer of goods and services, which, in the course of their manufacture, use, and disposition impact the quality of the environment; and

WHEREAS, the procurement of environmentally sound goods and services by the State can serve to protect health and safety, reduce energy consumption, conserve natural resources, prevent pollution, and promote markets for recyclable materials.

NOW, THEREFORE, by the authority vested in me as Governor by the Constitution and laws of North Carolina, IT IS ORDERED:

Section 1. Purpose

This Executive Order shall promote all state agencies to maximize their efforts to develop and implement environmentally sustainable policies and practices. Specifically, agencies shall strive to:

- a. consider and minimize the environmental impacts associated with agency land use and acquisition, construction, facility management, and employee transportation;
- b. reduce and recycle material recoverable from solid waste originating at their facilities and from the construction and renovation of new facilities;
- c. procure goods and services that have a lesser or reduced effect on human health and the environment, including products made wholly or in part from recycled materials; and,
- d. encourage and promote conservation of energy through reducing wasteful, inefficient or uneconomical uses of energy resources.

Section 2. Responsibilities of State Agencies

- a. Each state agency shall be responsible for implementing programs to make its operations environmentally sustainable, including, but not limited to, programs to reduce and recycle solid wastes and procure environmentally preferable goods and services. Such programs shall be consistent with and as comprehensive as described in this Order.
- b. Each agency shall designate an Environmental Sustainability Officer to direct sustainability activities. Agencies shall also designate one or more individuals to coordinate and oversee its waste reduction, recycling, and environmental procurement programs, and to serve as a liaison with the Division of Pollution Prevention and

Environmental Assistance of the North Carolina Department of Environment and Natural Resources.

c. The Division of Pollution Prevention and Environmental Assistance and the Division of Energy of the North Carolina Department of Commerce shall provide technical assistance, education, and training to state agencies on these matters, and shall serve as a central point of information and coordination for all state agency environmental sustainability efforts.

d. The Divisions of Facility Management, State Construction, State Property, and Motor Fleet Management of the North Carolina Department of Administration shall facilitate state agency environmental sustainability efforts as part of their regular functions, which include but are not limited to: overseeing contracts for waste hauling, housekeeping services, landscaping, and facility maintenance; site leasing; capital construction projects; and fleet transportation.

e. As provided in this Order, the Division of Purchase and Contract of the Department of Administration shall aggressively explore opportunities for procuring goods and services that have a lesser or reduced effect on human health and the environment and shall actively promote the purchase of environmentally preferable products by state agencies and others eligible to purchase items from state contracts.

Section 3. Environmentally Sustainable Operations and Practices

State agency environmental sustainability efforts shall focus primarily on the operations of state-owned facilities and leased spaces. Agencies shall assess the impacts of facility daily operations, management, and capital improvement projects as they pertain to health and safety, environmental quality, land use, and resource conservation.

a. Capital improvements

All state agencies shall seek opportunities to reduce environmental impacts associated with capital improvements throughout project planning, site and building design, and construction. Agencies shall, to the extent feasible and practicable, implement project initiatives or modifications that result in energy efficiency, water conservation, pollution prevention, solid waste reduction, and land preservation during the construction and operation of agency facilities.

b. Facilities management

State agencies shall seek to integrate into the daily operations and management of state-owned and leased facilities, practices that enhance health and safety, reduce consumption of energy and fuels, conserve water, minimize emissions, and reduce solid and hazardous wastes. Agencies shall give consideration to these practices, to the extent feasible and practicable, as criteria for entering into lease agreements or contracts for maintenance and landscaping services.

c. State Vehicle Use and Employee Transportation

(1) To reduce air pollution, particularly ground-level ozone, resulting from state fleet vehicle usage, it shall be the goal of the State that on and after January 1, 2004, at least seventy-five percent (75%) of the new or replacement light duty cars and trucks purchased by state agencies will be alternative-fueled vehicles or low emission vehicles. The Departments of Administration, Transportation, and Environment and Natural Resources, shall jointly develop a plan to achieve this goal and to fuel and maintain these vehicles.

(2) To the extent feasible, and within guidelines established jointly by the Office of State Personnel, and the Departments Administration, Transportation, and Environment and Natural Resources, state agencies shall implement measures to reduce the number of vehicle miles driven by state employees in personal and state fleet vehicles resulting from job-related travel including commuting to and from work. These measures may include car-pooling, vanpooling, public transportation incentives, flex-time scheduling to avoid travel during peak traffic, telecommuting, teleconferencing, and other appropriate strategies.

Section 4. Source Reduction and Recycling of Solid Wastes

a. Source reduction

To encourage reduction of waste at its source, all state agencies shall review their operations to determine where solid waste can be reduced at its sources of generation. Specific measures state agencies shall employ to reduce waste at the source include but are not limited to those identified in this Section.

(1) Reduction of office paper waste

(a) Printing and photocopying

State agencies shall avoid unnecessary printing or photocopying of printed materials, and shall require two-sided copying on all documents when feasible and practicable. To the extent feasible, all new and re-manufactured photocopy machines and laser printers purchased shall have duplexing capabilities.

(b) Use of electronic communication

State agencies shall, to the extent feasible, use electronic media such as voice mail, e-mail, and the Internet to circulate or distribute routine announcements, memoranda, documents, reports, forms, manuals, and publications.

(2) Product necessity, durability, packaging, and recyclability

State agencies shall discourage the use of disposable products where reusable products are available and economically viable for use. Furthermore, state agencies shall assess their waste generation with regard to purchasing decisions and make every attempt to purchase items only when needed and in amounts that are not excessive. When purchases are necessary, state agencies shall, to the extent feasible and practicable, acquire items that are more durable, have minimal packaging, or are readily recyclable when discarded.

b. Collection programs for recyclable materials

(1) As set forth in North Carolina General Statute § 130A-309.14, all state agencies shall ensure that employees have access to containers for recycling (at a minimum) aluminum cans, high-grade office paper, and corrugated cardboard. All state employees are required to separate identified recyclable materials generated in the course of agency operations and place them in the appropriate recycling containers. The provisions of this section shall not apply in those situations where the agency head makes a written determination that their implementation is not feasible.

(2) State agencies facilities that routinely host the general public, such as highway rest areas, state parks and recreation areas, employment security offices, state historic sites, etc., shall implement programs for the collection of recyclable materials discarded by the public at all such locations (e.g., aluminum, glass, and plastic beverage containers) when feasible and practicable. State agencies shall work closely with the appropriate local government agencies when developing and implementing these recycling programs.

(3) Agencies that operate or contract for the operation of food service establishments, such as snack bars, cafeterias, dining halls, etc., are encouraged to implement programs to recover and recycle leftover food when practicable and feasible.

c. Education of agency employees

It shall be the duty of each state agency to educate and encourage employee participation in agency waste reduction and recycling programs. The Division of Pollution Prevention and Environmental Assistance shall assist agencies in developing and implementing educational programs. Each agency shall establish a network of assistant coordinators to assist the lead coordinator with carrying out this responsibility. The assistant coordinators shall disseminate information about recycling and waste reduction policies and procedures; monitor participation; and report any problems, suggestions, or other feedback to the agency's designated lead coordinator.

Section 5. Purchase and Use of Environmentally Preferable Products

As a component of their environmental sustainability efforts and to help develop markets for recyclable materials, state agencies shall procure and use environmentally preferable goods and services, including products made wholly or in part from recycled materials, whenever feasible and practicable. Environmentally preferable products have a lesser or reduced effect on human health and the environment in their manufacture, use, and disposal when compared with other products that serve the same purpose. Agencies shall give consideration to environmentally preferable products that are more energy efficient, less toxic, less polluting, and which generate less waste overall.

a. Purchases of environmentally preferable and recycled-content products

(1) In cooperation with the Division of Pollution Prevention and Environmental Assistance, the Division of Purchase and Contract shall make every effort to identify environmentally preferable goods and services and products made from recycled materials that meet appropriate standards for use by state agencies. When environmentally preferable and recycled-content products are offered that are comparable in quality, availability, and price to products not having recycled content or similar environmental attributes, term contracts shall carry only the environmentally preferable products.

(2) To enable agencies to readily identify the availability of these products, term contracts shall be written in a format that prominently identifies environmentally preferable and recycled-content products, and these products shall be listed in conjunction with any comparable products not having recycled content or similar environmental attributes. The Division of Purchase and Contract shall prepare an electronic listing of all environmentally preferable and recycled-content products available on state contracts and make it available to all state agency purchasers.

(3) State agencies that have delegated purchasing authority shall develop product specifications to encourage vendors to offer environmentally preferable and recycled-content products. Specifications shall be written to ensure that they do not contain restrictive language or other barriers to purchasing environmentally preferable or recycled-content products, unless such specifications are necessary to protect public health, safety, or welfare.

(4) All electronic office equipment, including but not limited to, computers, monitors, printers, scanners, photocopy machines, facsimile machines, and other such equipment purchased by state agencies shall be Energy Star® compliant.

(5) State agencies shall give priority consideration to the purchase of re-manufactured and used equipment, including, but not limited to, such equipment as photocopiers and other office equipment.

(6) State agencies shall give priority consideration to the purchase of fleet vehicles that use less-polluting fuels and that have the highest available miles-per-gallon rating.

b. Purchases of recycled paper

(1) State agencies are directed to purchase and use recycled paper for all letterhead stationery, reports, memoranda, and other documents when feasible and practicable. All new and re-manufactured photocopy machines and laser printers purchased shall have the ability to use xerographic paper having at least 50% recycled content, 30% of which should be post-consumer content.

(2) State agencies shall attempt to meet the goal that, as of Fiscal Year 2000-01, 100% of the total dollar value of expenditures for paper and paper products be toward purchases of paper and paper products with recycled content. In addition, state

agencies shall attempt, to the extent feasible and practicable, to purchase recycled paper and paper products with the highest percentage of post consumer content.

c. Guidelines and criteria

The Division of Purchase and Contract in cooperation with the Division of Pollution Prevention and Environmental Assistance shall develop criteria for determining the environmental preferability of goods and services and establish minimum content standards for recycled-content products purchased by state agencies.

Section 6. Reporting

a. State agency annual reports on solid waste reduction and procurement of recycled products

By the first of October annually, each state agency shall report to the Division of Pollution Prevention and Environmental Assistance for the previous fiscal year the following information, at a minimum: activities or programs implemented to reduce the amount of solid waste generated by the agency; quantities and types of materials collected for recycling by the agency; and the dollar amounts and types of recycled products purchased.

b. Annual progress report to the Governor

The Division of Pollution Prevention and Environmental Assistance, in conjunction with the Department of Administration, shall provide guidance to agencies in preparing their annual reports. The Division of Pollution Prevention and Environmental Assistance shall compile the agency reports and provide to the Governor an annual progress report on state agency efforts to reduce waste at the source, collect recyclable materials, and procure recycled products.

c. Tracking recycled products procurement

The Division of Purchase and Contract shall review its sales report procedures and determine any changes needed to facilitate tracking of environmentally preferable and recycled products purchased by state agencies and others from term contracts.

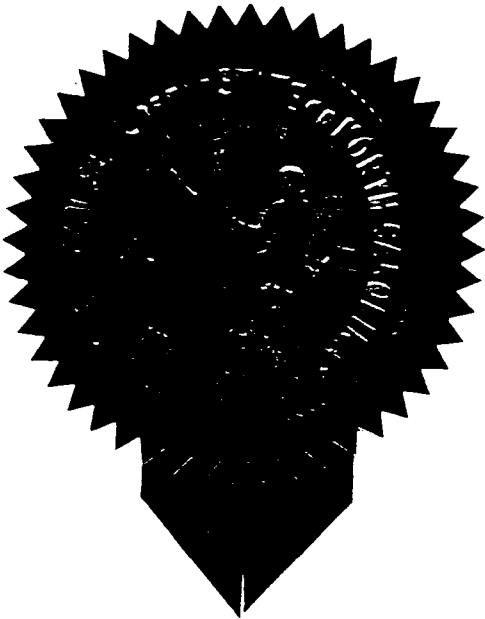
Section 7. Effect of Other Executive Orders

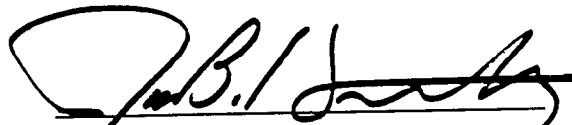
Executive Order Number 8 is hereby rescinded. All other Executive Orders or portions of Executive Orders inconsistent herewith are hereby rescinded.

Section 8. Effective Date

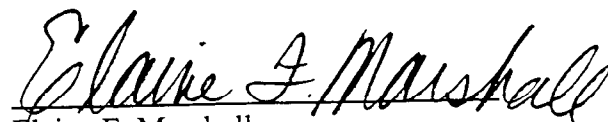
This Executive Order is effective immediately and shall remain in effect until rescinded.

Done in the Capital City of Raleigh, North Carolina, this the 20th day of July, 1999.




James B. Hunt Jr.
Governor

ATTEST:


Elaine F. Marshall
Secretary of State