

**RECOMMENDATION:*****Executive Order No. 4 Interagency Committee on Sustainability and Green Procurement  
Consideration of Chemicals in the Development of Green Specifications***

Executive Order No. 4 (EO 4) charges the Interagency Committee on Sustainability and Green Procurement with the development of green procurement specifications for use by state agencies and public authorities. When choosing priority categories and developing green specifications, EO 4 directs the Committee to consider, among other factors, commodities, services and technology that reduce or eliminate the health and environmental risks from the use or release of toxic substances; minimize risks of the discharge of pollutants into the environment; minimize the toxicity of packaging; protect public health and the environment, including children; and embody pollution prevention and sustainable production. The primary purpose of identifying chemicals to be aware of in green procurement is to assist the Interagency Committee on Sustainability and Green Procurement ("Committee") in meeting the goals of EO 4. An added benefit is informing the market of chemicals to be aware of in green procurement.

The federal government has identified chemicals that pose potential harm to human health and the environment. See current U.S. Environmental Protection Agency (EPA) Waste Minimization Priority List (<http://www.epa.gov/osw/hazard/wastemin/priority.htm>), and U.S. Department of Health and Human Services National Toxicology Program, current Report on Carcinogens, List of Chemicals Known and Reasonably Anticipated to be Human Carcinogens (<http://ntp.niehs.nih.gov/index.cfm?objectid=32BA9724-F1F6-975E-7FCE50709CB4C932>). In addition, pursuant to the federal Toxic Substances Control Act (TSCA), certain chemicals of concern have been identified by the EPA in Action Plans that outline the risks that each chemical may present and identify specific actions EPA will be taking. (<http://www.epa.gov/oppt/existingchemicals/pubs/ocactionplan.html>).

In accordance with its practice since EO 4 was signed, the Committee shall continue to consider chemicals that pose potential health and environmental impacts, including, but not limited to, chemicals identified in the above sources, when developing green procurement specifications and evaluating existing standards and certification programs. The Committee may, depending on available resources, consider additional information that can be obtained with reasonable effort.

The identification of chemicals to consider in green procurement should not be construed as a ban on the purchase of commodities, services or technology containing and/or using such chemicals. Depending on each commodity, service or technology, and whether sufficient alternatives exist in the marketplace, procurement specifications may restrict or allow considered chemicals to be used or contained in certain commodities, services or technologies (e.g., mercury in fluorescent lamps).

**Preliminary Worksheet on Chemicals for Consideration  
in Green Procurement**

<b>Chemical</b>	<b>Concern</b>	<b>List</b>	<b>Products/Ingredients</b>
1,2-Dichloroethane	RA	NTP	Adhesives, building supplies*
1,2,3, Trichloropropane	RA	NTP	Chemical solvent*
1,2,4-Trichlorobenzene	PBT	EPA	Degreasers, lubricants, solvents†
1,2,4,5-Tetrachlorobenzene	PBT	EPA	Intermediate to make pesticides†
1,3 Dichloropropene	RA	NTP	Pesticide*
1,4 Dioxane	RA	NTP	Varnish stripper, by-product of surfactants*
1,4-Dichlorobenzene (para-dichlorobenzene)	RA	NTP	Urinal blocks, deodorizers*
2,2 bis(Bromoethyl) 1,3 propanediol	RA	NTP	Flame retardant*
2,3 Dibromo-1-propanol	RA	NTP	Polyurethane foam*
2,3,7,8-Tetrachlorodibenzo-p-dioxin	KHC	NTP	Chlorine-bleached paper products*
2,4,5-Trichlorophenol	PBT	EPA	Fungicide, herbicide†
3-Chloro-2-methylpropene	RA	NTP	Pesticide*
4-Bromophenyl phenyl ether	PBT	EPA	Former flame retardant†
Acenaphthene	PBT	EPA	PAH, used to make dyes, plastics, pesticides, wood preservatives (creosote, coal tar, roofing tar), auto exhaust†
Acenaphthylene	PBT	EPA	PAH, used to make dyes, plastics, pesticides, wood preservatives (creosote, coal tar, roofing tar), auto exhaust†
Acetaldehyde	KHC	NTP	Adhesives*
Amitrole	RA	NTP	Pesticide*
Arsenic compounds, Inorganic	KHC	NTP	Wood preservative, treated wood*
Asbestos	KHC	NTP	Roofing shingles, siding*
Benzene	KHC	NTP	Contaminant of solvents*
Benzo (g,h,i) perylene	PBT	EPA	PAH, used to make dyes, plastics, pesticides, wood preservatives (creosote, coal tar, roofing tar), auto exhaust†
Beryllium and beryllium compounds	KHC	NTP	Cell phones*
Bis (Chloromethyl) Ether, Technical Grade Chloromethyl Methyl Ether	KHC	NTP	Cleaning products*
Bisphenol A		EPA CAP	Bottles, food packaging <sup>Δ</sup>
Cadmium and cadmium compounds	KHC, PBT	EPA, NTP	Pigments, batteries, plastics, products containing fly ash, stabilizer for PVC*†
Carbon tetrachloride	RA	NTP	Cleaning solvent, adhesive, adhesive remover*
Ceramic fibers	RA	NTP	Fiber board insulation*
Chloroprene	RA	NTP	Glues, adhesives*
Chromium, hexavalent	KHC	NTP	Contaminant, possibly in leather*
Coal tar and pitches	KHC	NTP	Road patching and paving material, roofing material*
Di(2-ethylhexyl) phthalate (DEHP)	RA	NTP	PVC building supplies, office supplies*
Dibenzofuran	PBT	EPA	Coal tar-based products, products containing fly ash, coke dust†
Dichloromethane (Methylene chloride)	RA	NTP	Graffiti removers, paint strippers, lubricants*
Diesel exhaust particulates	RA	NTP	Buses, trucks, power generators*
Diethyl Sulfate	RA	NTP	Carbonless paper*

## Preliminary Worksheet on Chemicals for Consideration in Green Procurement

Dioxins and furans (polychlorinated)	PBT	EPA	Generated from the manufacture and incineration of chlorinated paper products, solvents, pesticides, plastics <sup>†</sup>
Endosulfan	PBT	EPA	Insecticide, wood preservative (not made in the U.S.) <sup>†</sup>
Ethylene dichloride (1,2 Dichloroethane)	RA	NTP	Adhesives, caulking <sup>*</sup>
Ethylene oxide	KHC	NTP	Hospital-grade sterilant, fungicide <sup>*</sup>
Fluorene	PBT	EPA	PAH, used to make dyes, plastics, pesticides, wood preservatives (creosote, coal tar, roofing tar), auto exhaust <sup>†</sup>
Formaldehyde gas	RA	NTP	Carpet, tile, glues, adhesives, caulking, particle board, furniture <sup>*</sup>
Furan	RA	NTP	Wood preservative, asphalt and patching material, roofing patch, resins <sup>*</sup>
Glass Wool	RA	NTP	Thermal, electrical and acoustical insulation <sup>*</sup>
Heptachlor; heptachlor epoxide	PBT	EPA	Banned pesticide <sup>†</sup>
Hexachlorobenzene	PBT, RA	EPA, NTP	Banned pesticide, contaminant of products containing chlorinated organics <sup>*†</sup>
Hexachlorobutadiene	PBT	EPA	Contaminant in the manufacture of rubber <sup>†</sup>
Hexachlorocyclohexane, gamma (Lindane)	PBT	EPA	Pesticide used to control lice and scabies in humans and animals <sup>†</sup>
Hexachloroethane	PBT, RA	EPA, NTP	Artificial smoke, munitions, lubricants, byproduct of incineration of chlorinated products <sup>*†</sup>
Hexamethylphosphoramide	RA	NTP	Rodenticide <sup>*</sup>
Lead and lead compounds	PBT, RA	EPA, NTP	Batteries, light bulbs, appliances, computers, products containing fly ash, cell phones, other electronics, PVC (pigment/stabilizer) <sup>*†</sup>
Lindane and other hexachlorocyclohexane Isomers	RA	NTP	Pesticide used to control lice and scabies in humans and animals <sup>*</sup>
Mercury	PBT	EPA	Light bulbs, appliances, computers, products containing fly ash, thermometers, thermostats <sup>†</sup>
Methoxychlor	PBT	EPA	Insecticide <sup>†</sup>
Methylene Chloride	RA	NTP	Chemical solvent, paint stripper, printing inks, automotive degreasing <sup>*</sup>
Mineral oils (untreated and mildly treated)	KHC	NTP	Lubricants <sup>*</sup>
Naphthalene	PBT, RA	EPA, NTP	Mothballs, dyes, leather goods, insecticides, wood preservatives, coal tar-based products <sup>*†</sup>
Nickel (metallic)	RA	NTP	Batteries <sup>*</sup>
Nickel compounds	KHC	NTP	Electroplated items <sup>*</sup>
Nitromethane	RA	NTP	Chemical solvent <sup>*</sup>
Nitropropane	RA	NTP	Solvent for inks, paints and varnishes <sup>*</sup>
Nitrosodimethylamine	RA	NTP	Control of nematodes <sup>*</sup>
PBDEs (octa, penta and deca)		EPA CAP	Furniture, carpeting, computers, other electrical equipment <sup>†</sup>
Pendimethalin	PBT	EPA	Herbicide (used on rights-of-way) <sup>†</sup>
Pentachlorobenzene	PBT	EPA	Fire retardant, used to make the fungicide pentachloronitrobenzene (PCNB) <sup>†</sup>

## Preliminary Worksheet on Chemicals for Consideration in Green Procurement

Pentachloronitrobenzene	PBT	EPA	Fungicide (used as lawn chemical and to prevent slime in industrial water tanks) <sup>†</sup>
Pentachlorophenol	PBT	EPA	Wood preservative used on power line poles, railroad tracks, fences <sup>†</sup>
PFOS and PFOA		EPA CAP	Fabrics, paper, cookware, electronics, floor polishes <sup>Δ</sup>
Phenanthrene	PBT	EPA	PAH, used to make dyes, plastics, pesticides, wood preservatives (creosote, coal tar, roofing tar), auto exhaust <sup>†</sup>
Polybrominated biphenyls (PBBs)	RA	NTP	Brominated flame retardant banned in the U.S. in the 1970s. May still be in imported products.*
Polychlorinated biphenyls (PCBs)	RA, PBT	NTP, EPA	Banned in the U.S. but may still be contaminant of some manufacturing processes.* <sup>†</sup>
Polycyclic aromatic hydrocarbons (PAHs)	PBT, RA	EPA, NTP	PAH, used to make dyes, plastics, pesticides, wood preservatives (creosote, coal tar, roofing tar), auto exhaust* <sup>†</sup>
Propylene oxide	RA	NTP	Glues, adhesives, caulking* <sup>‡</sup>
Pyrene	PBT	EPA	PAH, used to make dyes, plastics, pesticides, wood preservatives (creosote, coal tar, roofing tar), auto exhaust <sup>†</sup>
Selenium sulfide	RA	NTP	Fungicide* <sup>‡</sup>
Silica, Crystalline (respirable size)	KHC	NTP	Paint, primers, cleaning products* <sup>‡</sup>
Tetrachloroethylene (Perchloroethylene)	RA	NTP	Solvents (including dry cleaning), degreasers, graffiti removers, paint strippers, lubricants* <sup>‡</sup>
Tetrafluoroethylene	RA	NTP	Used in the production of Teflon* <sup>‡</sup>
Toluene Diisocyanate	RA	NTP	Floor and wood finishes* <sup>‡</sup>
Trichloroethylene	RA	NTP	Solvents, degreasers, graffiti removers, paint strippers, lubricants, carpet and upholstery cleaners* <sup>‡</sup>
Trifluralin	PBT	EPA	Herbicide (used on rights-of-way) <sup>†</sup>
Tris (2,3 Dibromopropyl) phosphate	RA	NTP	Flame retardant found in upholstery* <sup>‡</sup>
Urethane	RA	NTP	Sealants* <sup>‡</sup>
Vinyl chloride	KHC	NTP	Siding, piping, roofing, carpet, wall paper, shower curtains* <sup>‡</sup>
Vinyl fluoride	RA	NTP	Wall, pipe and electrical covering* <sup>‡</sup>

### Legend:

KHC = Known Human Carcinogen, RA = Reasonably Anticipated to be a Human Carcinogen, PBT = Persistent Bio-accumulative Toxin

EPA = EPA Waste Minimization Priority, EPA CAP = EPA Chemical Action Plans, NTP = National Toxicology Program 11th Report

† = from EPA Waste Minimization Priority Fact Sheet, Δ = from EPA Chemical Action Plan, \* = from NTP Substance Profile and/or NTP Report on Carcinogens Background Document

*This list was prepared for the consideration of the EO 4 Procurement Subcommittee by members of the EO4 Advisory Council.*

Revised 11/30/10

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**ACTION:**

Please show your support for getting cancer-causing and persistent toxic chemicals out of products by sending a letter before 12/23/10 to the

**NYS Office of General Services**

December 8, 2010

*Warning Tower, Empire State Plaza  
Albany, N.Y. 12242*

*FAX (518) 474-2437*

Dear Members of the Office of General Services:

We are writing in support of the Recommendation titled "Consideration of Chemicals in the Development of Green Specifications".

We wish you to avoid toxic chemicals in products purchased by state agencies. If approved, this would be a major step in eliminating 85 chemicals that have been linked to many chronic disease-including cancers, asthma, autism, and neuro-developmental disorders in all age groups including children,

This policy will ultimately help to better protect the citizens of New York State and the state's environment and waterways from especially hazardous chemicals in products. *It is a positive and forward thinking policy proposal based on pollution prevention and sustainable production.*

The Recommendation would enable NYS to

- *Reduce or eliminate the health and environmental risks from the use or release of toxic substances;*
- *Minimize risks of the discharge of pollutants into the environment;*
- *Focus on especially hazardous toxic substances already being regulated by the federal government and now needs to be prioritized in procurement as well.*
- *This is a reasonable and sound approach from a public health and economic perspective.*
- *Each year OGS selects 32 products for contracts. If the Recommendation is approved, OGS could assess whether or not these products contain any of the 85 toxic chemicals and could select safer alternatives.*
- *We strongly support the inclusion of all the chemicals identified in the Recommendation, including the references to chemicals found in the US EPA Waste Minimization Priority List, Dept. of Health and Human Services National Toxicology Program Report on Carcinogens, List of Chemicals Known and Reasonably Anticipated to be Human Carcinogens, and the USEPA Chemicals in Action Plans being implemented under the Toxic Substances Chemicals Act.*

Thank you for your kind consideration.

*Signature*  
*address*

[Redacted signature and address]

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Thank you for your kind consideration.

Signature [Redacted]

address [Redacted]

December 12, 2010