

# Purchasing Preference for Products and Product Packaging That Do Not Contain Polychlorinated Biphenyls (PCBs)

**Applies to:** Any state office or activity of the executive and judicial branches of state government, including state agencies, departments, offices, divisions, boards, commissions, institutions of higher education as defined in RCW 28B.10.016, [RCW 28B.10.016](#) and correctional and other types of institutions.

**Authorizing sources:**

- State Law [RCW 39.26.280](#)
- State Law [RCW 39.26.290](#)
- State Law [RCW 39.26.160\(3\)\(d\)](#)
- State Law [RCW 39.26.010\(1\) Definitions](#)
- Executive Order [Executive Order 04-01](#)
- Executive Order [Executive Order 18-01](#)

**Effective date:** 1/1/19

**Last update:** N/A

**Sunset review date:** 1/1/24

**Approved by:** \_\_\_\_\_ Chris Liu, Director

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## Reason for Policy

This policy establishes the purchasing preference authorized in RCW 39.26.280 for agencies purchasing products and product packaging that do not contain polychlorinated biphenyls (PCBs). The intent is to incentivize the State's contract suppliers to provide products and product packaging that do not contain PCBs.

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## Policy

### 1. Preference for products and product packaging that do not contain PCBs.

☞ In any competitive procurement for goods pursuant to RCW 39.26, agencies shall apply a minimum of 5 percent preference to each bid submitted that includes a certification meeting the requirements of this policy. The preference shall be applied to applicable product(s) and/or packaging, as determined by using the [PCBs Risk Calculator](#), consultation with the Department of Ecology, or other means. The preference shall only be applied to bids for which the certification submitted meets the following requirements:

☞ Is signed by an authorized official of the bidder under penalty of perjury;

☞ States that the specified products or product packaging for which the preference is sought, as tested, do not contain PCBs within the limits of the test; and

☞ Includes the test results for the specified products or product packaging confirming that the same do not contain PCBs within the limits of the test. Such test results shall have been performed within the previous 365 days prior to bid submittal, and the test shall have been performed by an independent third party laboratory using [Environmental Protection Agency \(EPA\) Analytical Method 1668c](#).

