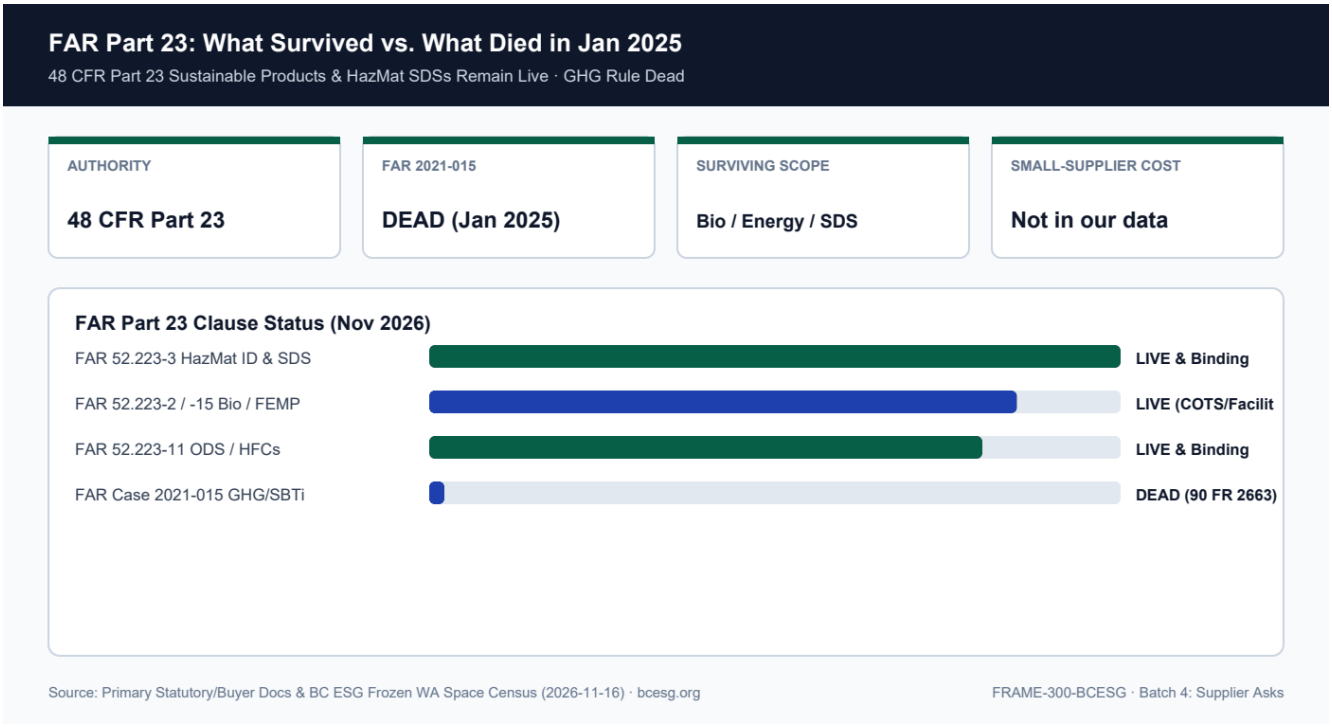
FAR Part 23 Sustainable Procurement Clauses That Survived Jan 2025

Published: November 16, 2026 · Canonical URL: https://bcesg.org/wa-space-ask-far-52-223-sustainable-procurement/

Verification & Authority Baseline: Binding federal clauses (48 CFR Part 23) that remain live after the Jan 13, 2025 withdrawal of FAR Case 2021-015. Covers EPA-designated/BioPreferred products, Energy Star/FEMP, and hazardous-material SDSs—with ZERO Scope 1/2/3 GHG or SBTi requirement.



FAR Part 23 Clause	Status (Nov 2026)	What It Actually Asks
FAR 52.223-3	LIVE & Binding	Submit SDSs for hazardous materials delivered under contract
FAR 52.223-11	LIVE & Binding	Label/restrict ozone-depleting substances & high-GWP HFCs
FAR Case 2021-015 (GHG)	DEAD (Jan 13, 2025)	Withdrawn (90 FR 2663); zero GHG/SBTi duty

Who Issues This Ask, Authority, and Dead-Rule Boundary

Federal prime contractors and GSA/DoD/NASA buyers continue to flow down **FAR Part 23** (`48 CFR Part 23`) clauses in Master Terms & Conditions.

Dead-rule boundary: Do not confuse surviving FAR Part 23 product clauses with the withdrawn climate rule. **FAR Case 2021-015 was withdrawn on January 13, 2025 (`90 FR 2663`)**—so FAR Part 23 carries **zero Scope 1/2/3 GHG reporting or SBTi target mandate**. What *did* survive and remains **binding federal law** when included in a contract are product/chemical clauses: **Hazardous Material Identification & Material Safety Data (`52.223-3`)**, **Ozone-Depleting Substances / HFCs (`52.223-11`)**, and **BioPreferred / Energy Star / FEMP (`52.223-2`, `-15`, `-17`)** where applicable to facility supplies and COTS equipment.

Evidence Required & Small-Supplier Effort Cost

For flight hardware and shop consumables, suppliers provide **Safety Data Sheets (SDS)** under `52.223-3` and confirm absence of prohibited Class I/II ODS under `52.223-11` (or document NASA/DoD mission-critical exemptions).

Administrative effort is minimal for SDS submission; exact hours are **not in our data**.

WA Space Cluster Segments & Companies Affected

Applies to all federal-subcontracting WA suppliers across Launch, Propulsion, and Components & Suppliers.

Verified Primary Sources & Internal Bridges

• eCFR — 48 CFR Part 23 (Environment, Sustainable Acquisition): https://www.ecfr.gov/current/title-48/chapter-1/subchapter-D/part-23

• Federal Register — Proposed FAR Case 2021-015 (Withdrawn Jan 2025): https://www.federalregister.gov/documents/2022/11/14/2022-24569/federal-acquisition-regulation-disclosure-of-greenhouse-gas-emissions-and-climate-related-financial