

Guidance Document

CBPS 001

Published Date: 9/13/2022

Subject: Compliance by Meeting the EUIt

Intended Audience: Building owner, Authorized Representative, and General Public

Purpose

This document can be used to assist building owners in pursuing compliance by meeting the energy use intensity target (EUIt).

Reference

[Clean Buildings Performance Standard – integrated document](#)

Background

Clean Buildings Performance Standard (CBPS) compliance is mandatory for Tier 1 buildings located in Washington state. A Tier 1 building (formerly known as covered commercial building) is a building where the sum of nonresidential, hotel, motel and dormitory floor areas exceeds 50,000 gross square feet, excluding the parking garage area.

Guidance

- 1) **Watch** [Clean Buildings 101](#) for an overview of the CBPS.
- 2) **Gain** an understanding of the CBPS. To understand the full scope of the rules refer to both:
 - [ASHRAE Standard 100-2018](#) Energy Efficiency in Existing Buildings.
 - [WAC 194-50](#) (WA amendments to Standard 100).Or click on the link to gain access to the [Clean Buildings Performance Standard – Integrated Document](#).
- 3) **Determine** if the building is exempt. See Annex Z4.1 or the exemption guide sheet.
- 4) **Benchmark** the building. Benchmarking is an important process in defining which performance metric to pursue for compliance with the CBPS. Measure weather normalized EUI (WNEUI) within the ENERGY STAR Portfolio Manager (ESPM) account. Use a minimum of 12 consecutive months of energy data, measured in

Compliance Dates

June 1, 2026
More than 220,000 sq. ft.

June 1, 2027
More 90,000 sq. ft. but less than
220,001 sq. ft.

June 1, 2028
More 50,000 sq. ft. but less than
90,001 sq. ft.

a period not to exceed two years prior to the submission of compliance documentation demonstrating the EUI has been met prior to the compliance date.

Note: Buildings unable to measure EUI in accordance with Section 5.2 shall pursue compliance in accordance with the investment criteria performance metric (Annex X) and are not required to create an ESPM account.

- a. To learn how to use ESPM and benchmark your building:
 - i. You can sign up for the Environmental Protection Agency (EPA) [training series](#) on using Energy Star Portfolio Manager for benchmarking;
 - ii. Or watch [training videos](#) created by the Smart Building Center.
- b. Create an [Energy Star Portfolio Manager](#) account.

Tip: Understand your utility providers' role in compliance. Utilities are required to provide energy consumption data to building owners upon request. Large utilities (greater than 25,000 customers) are required to provide this data using Energy Star Portfolio Managers' automated upload protocol. Smaller utilities are to provide the data to building owners in an excel document, meeting Energy Star Portfolio Manager specifications (See RCW 19.27a.170).

- 5) **Develop** the EUI for the building in accordance with Section 7 of the CBPS. Visit the Clean Buildings How to Comply page to review the How to Determine Energy Use Intensity Target (EUI) guide sheet.

Note: Buildings unable to develop a EUI shall pursue compliance in accordance with the investment criteria performance metric.

To meet the EUI, a weather normalized EUI (WNEUI) must be developed using Energy Star Portfolio Manager (ESPM) and measure equal to or less than the EUI. More recently built buildings, in addition to the requirements of Section 7.2.1, shall create an EUI that is 15% less than the target developed for compliance with Section 7.2.1. This shall be the building's EUI and shall be noted in the [Clean Buildings Portal](#).

- 6) **Develop** and implement the Energy Management Plan (EMP) and associated Operations and Maintenance program (O&M) for each building as outlined in Sections 5 and 6 of the CBPS.

The EMP and O&M are mandatory requirements for all covered commercial buildings. Implementation of these requirements can begin at any time. The O&M requirements must be implemented 12 months prior to the mandatory compliance date.

Tip: Designate an *energy manager* and identify your *qualified person*. A [qualified person](#) requires specific expertise and certification. [Click here for defined roles and responsibilities](#).

- 7) **Submit** documentation of compliance. Building owners must submit the following documentation through the Clean Buildings Portal to verify the building weather normalized EUI is less than or equal to the building EUI, the energy management plan is complete, and the O&M Program has been implemented for a minimum of 12 months.

- Form A – Shall be used to communicate compliance and conditional compliance reporting requirements. It includes documentation of weather normalized EUI and the calculated EUI_t for the building. It also requires reporting of the building energy management plan and O&M program implementation as specified by Commerce. [Download Form A here](#). This is physical form produced by Commerce that will be filled out, signed, and uploaded to the Clean Building Portal with associated supporting documentation.
- Form B – Identifies the building activity and energy use intensity target (EUI_t). Log into the Clean Buildings Portal. Fill out the Building Detail and Activity Types pages in the Clean Buildings Portal to fulfill the requirements of Form B.
- Form C – Documents the weather normalized EUI in addition to other building characteristics and data. The Washington state specific report within ENERGY STAR Portfolio Manager is known as WA State Clean Buildings EUI Calculations, Form C. Click on this [link](#) and log into your ENERGY STAR Portfolio Manager account. Complete this specific report in your account to fulfill the requirements of Form C.

Note: Document compliance through the Clean Buildings Portal as early as July 1st, 2023.

Need more time to comply? Conditional Compliance is a temporary compliance method that can be applied if the EUI_t or investment criteria verification requirements will not be met by the scheduled compliance date. Applicants can avoid potential penalty when Conditional Compliance is approved and requirements maintained.

If you have questions on how to achieve compliance by meeting the EUI_t, please complete the [Customer Support Form](#).