

Compliance by Meeting the Energy Use Intensity Target (EUI_t) Q&A – Oct. 25, 2022

1. Does DOC have templates and or examples of EMPs and O&M plans?

- Commerce does not have templates or examples for the energy management plan (EMP) and operations and maintenance program (O&M). However, Commerce does have a web series produced by WSU Energy program focused on the EMP and O&M requirements of the standard. There is also O&M program development guidance within the ASHRAE Standard 100 User's Guide published by ASHRAE in consideration of the standard.

[WSU RCM Webinar: Energy Management Plans for Clean Buildings](#)

[WSU RCM Webinar: Operations and Maintenance for Clean Buildings](#)

[ASHRAE 100 Users' Guide](#)

2. For buildings with photovoltaics, Portfolio Manager currently asks for total energy used FROM solar as part of total energy used by the building in defining the EUI and WNEUI. Please address alternative ways of deducting solar in Portfolio Manager, as is allowed by the CBPS.

- In this situation, guidance from Energy Star Portfolio Manager (ESPM) on input differs from the Clean Buildings Performance Standard. Commerce is working on providing published guidance for deducting photovoltaics from a building's EUI for the standard's compliance reporting. The standard requires energy data input into ESPM to be net energy. Net energy is the sum of the metered energy entering the building minus metered energy leaving the building.

3. If someone uses submetering other than utility meters (which I believe is allowed), I assume that would have to be hand-entered in Portfolio Manager, in addition to utility meter data uploads.

- Correct, owner-supplied meters shall meet the requirements of the standard. The owner-provided energy meter data must be entered into Portfolio Manager manually.

4. Compliance forms are submitted to Department of Commerce or AHJ?

- Commerce is the authority having jurisdiction (AHJ). Clean Buildings Performance Standard, Section 3. Definitions.

- 5. If Form A's are on added to the portal will they be downloadable/shareable with building occupants and other facilities stakeholders?**
- For descriptions, instructions, and location of the Clean Buildings Performance Standard compliance forms, review [CBPS 016 Compliance Forms](#).
- 6. Why is there so little consideration given for the age of the building when it comes to meeting energy standards?**
- Consideration for a building's age is explicit for more recently built buildings and implicit for buildings of all vintage with the allowance for the investment criteria performance metric in lieu of meeting the energy use intensity target (EUI_t). It is understood that for some buildings, it will be economically impractical to meet the standards EUI_t metric. In these instances, the investment criteria allow energy efficiency measures (EEMs) identified by the energy audit to be omitted where deemed to not be cost-effective in accordance with the life cycle cost analysis of Annex X of the standard. Additionally, the standard allows EEMs deemed to be cost-effective but not beyond their useful life to defer implementation until they have reached the end of their life. This is addressed as Phased Implementation and is an allowance under conditional compliance (Z4.5).
- 7. Will there be EUI target for Tier 2 buildings in the future?**
- The first phase of this law is not a performance standard. It will require reporting on benchmarking, energy management plans and operations and maintenance programs for Tier 2 buildings. Compliance and reporting for this new tier is expected on July 1, 2027.
 - Rulemaking for Tier 2 performance standards is scheduled for 2030.
 - Review CBPS 009 Expanding the Clean Buildings Law for more details regarding Tier 2 buildings.
- 8. We have a Data Center customer that uses 90% of building power, how does this impact the rest of office building as I don't have control over their excessive usage.**
- Data centers are spaces without an energy use intensity target (EUI_t). Data centers cannot comply through the EUI_t performance metric. However, there are provisions within the standard that allow data center areas within a building to be treated separately from the rest of the building when the data center makes up less than 50% of the buildings conditioned floor area (Exceptions 3 & 4 of Section 7.2.3). When the data center makes up 50% or more of the buildings floor area, compliance shall be pursued through the investment criteria. This would require an ASHRAE Level II energy audit and implementation of all energy efficiency measures deemed to be cost effective in accordance with Annex X of the standard.
- 9. As a non-profit school, this is a lot to manage and figure out, with our limited staffing. Is there a group that can network and problem solve working through this process? Most private schools won't have staffing that can fully address all of this.**
- Commerce is not aware of working group specific to the concerns of K12 school compliance with the standard. You might consider developing a workgroup. Commerce is available to meet with such a workgroup as staffing allows. Below are links to programs that offer support to meet compliance with the Clean Buildings Performance Standard:

[Avista Clean Buildings support](#)
[City of Bellevue Clean Buildings Incentive Program](#)
[Pacific Power Benchmarking program](#)
[Pacific Power Clean Buildings support](#)
[Puget Sound Energy Accelerator program](#)
[Seattle Clean Buildings Accelerator](#)
[Smart Buildings Center Help Desk](#)
[SnoPUD Clean Buildings resources](#)
[Tacoma Power Clean Buildings support](#)

10. Is there established criteria for types of sub-metering to allow for deducting EV charging?

- Commerce is working on providing published guidance for deducting EV charging stations from a building's EUI for Clean Buildings Performance Standard compliance reporting. EV charging is not required to be counted towards a building's EUI where the EV charger(s) are submetered in accordance with local building codes

11. How do we know if we have to have an energy audit completed by January 2023?

- The energy audit is required when pursuing compliance with through the investment criteria or if pursuing compliance by meeting the EUI through conditional compliance. The energy audit shall be performed no more than three years prior to the implementation of the building improvement plan developed for investment criteria compliance or compliance by meeting the EUI through conditional compliance. See Clean Buildings Performance Standard, Section Z4.3-Z4.5.