

Energy Benchmarking for Private Buildings

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Public Meeting on 2nd Proposed Rulemaking
July 31, 2012

A Familiar Concept ...Applied to a New Area



Why Benchmark? For Building Owners

- Rate and compare performance
 - Manage energy and water consumption
 - Calculate carbon footprint
 - Set investment priorities
 - Verify and track progress of improvement projects
 - Option to gain ENERGY STAR certification
 - Attract Tenants
- Utilities are the largest single expense for building owners

32% - Utilities

22% - Repairs/Maintenance

21% - Admin

5% - Security

1% - Grounds

Source: BOMA

Why Benchmark? For Communities

Buildings are largest
source of DC's
Greenhouse Gas
Emissions

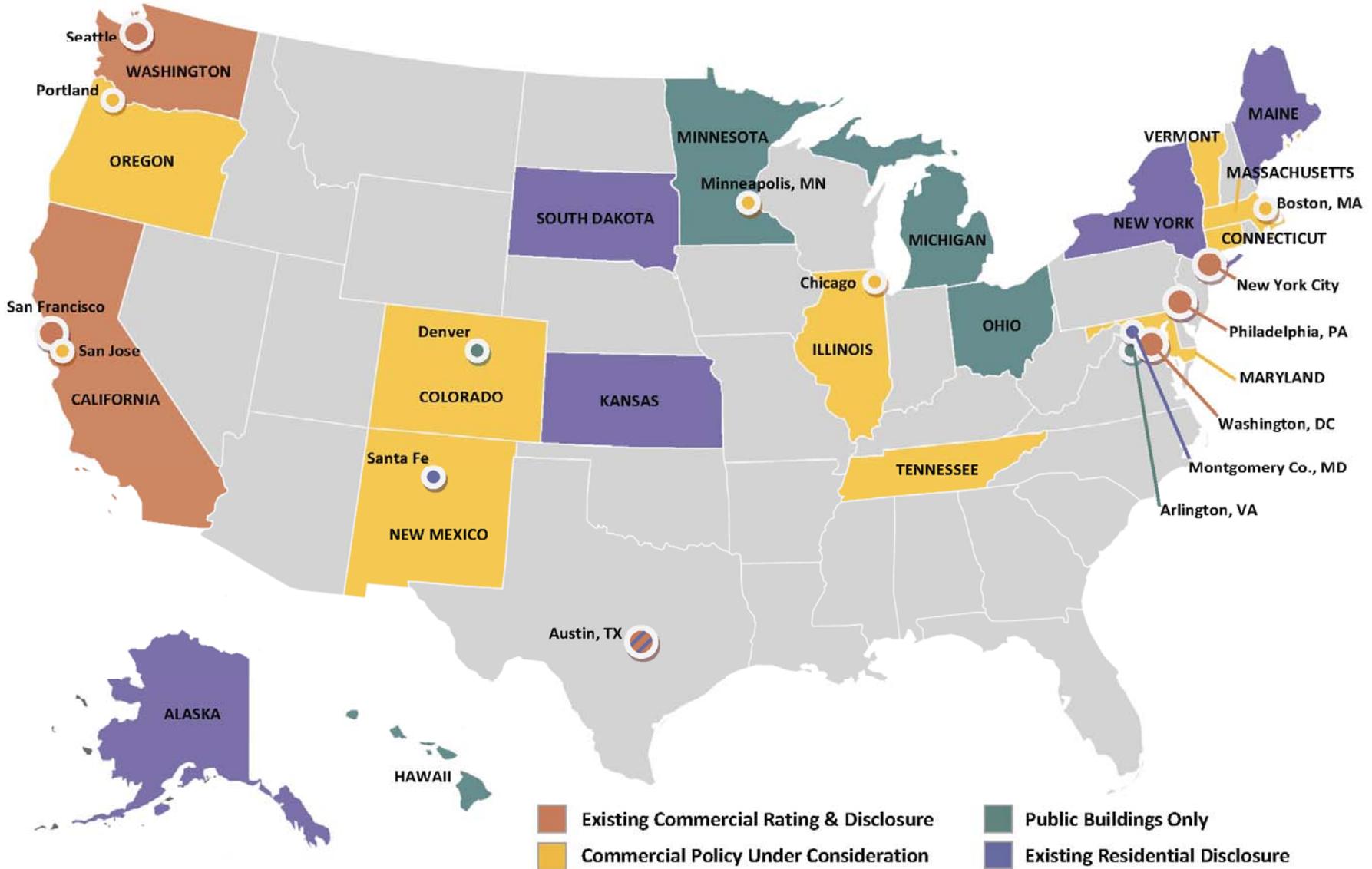


Source: DC 2006 GHG Inventory

- Disclosure leverages free market to drive overhaul of building stock at with minimal regulatory burden
- Access to granular energy data facilitates comprehensive energy planning and targeting of incentives
- National leadership

National Context

U.S. Building Rating and Disclosure Policies



District laws —

Green Building Act of 2006 (GBA)

Clean and Affordable Energy Act of 2008 (CAEA)

ENERGY STAR Portfolio Manager benchmarking & public reporting

- Public Buildings >10,000 sq. ft.
- Private Buildings >50,000 sq. ft., including residential buildings, phased in by building size, with public reporting beginning with the 2nd year of data

Updated Timeline



October 21-November 21, 2011	1 st proposed rulemaking and comment period
February 21, 2012	Public Meeting for further stakeholder input
July 20, 2012	2 nd proposed rulemaking published
August 19, 2012	30-day comment period ends
September 2012	Final rulemaking published
November 2012 (60 days after final rule)	2010 & 2011 reports due for buildings over 200k sq ft 2011 report due for buildings 150k-200k
January 2013	Publication of 2011 Data for buildings over 200k
April 1, 2013	2012 reports due for buildings over 100k
April 1, 2014	2013 reports due for buildings over 50k

- **Second Notice of Proposed Rulemaking**
- Second Notice of Proposed Rulemaking (with all changes tracked since last proposed rulemaking)
- Summaries of all comments & DDOE's responses
- **Guidance Documents:**
 - Frequently Asked Questions (F.A.Q.)
 - Compliance Checklist
 - District Data Collection Worksheet
 - Non-Residential Tenant Information Form
 - Utility Data Release Form
 - District Benchmark Reporting Template Field Summary

Basic District Benchmark Process

- Use ENERGY STAR Portfolio Manager for both benchmarking and data submission
- Applies to **both** Non-Residential and Residential buildings over 50,000 sq. ft.
- 1-100 score not required
- Includes water utility data
- No financial data or other confidential business information will be collected
- Failure to meet deadlines or submission of inaccurate data subject to fines of up to \$100/day

Substantive Changes

1. Simplified Data Collection for Multi-family Residential
2. Aggregate Data Option
3. Increased Reporting Flexibility
4. Official Warning Period
5. Multiple Buildings on a Tax Lot
6. Updating Submitted Data
7. Delegation for Single-Tenant Buildings
8. Reporting Non-Compliant Tenants
9. Deadlines for 2010 and 2011 Data
10. New and Clarified Definitions

1. Multifamily Building Data Collection

- § 3513.5 & § 3513.7
- Until aggregate utility data is available...
- Multifamily owners/managers not required to request data from any *residential* tenants; benchmark using:
 - Master meters
 - Common area meters
 - Data from *non-residential* tenants
- Extrapolated benchmarking method eliminated

2. Aggregate Data

- § 3513.5 & § 3513.7
- Once a utility company has made whole-building aggregate data available, the building owner must use aggregate data for *that* utility
- *IF* the utility company has made the service available prior to February 1st of that calendar year
- Space use information must still be collected from non-residential tenants

3. Increased Reporting Flexibility

- § 3513.5, § 3513.6, & § 3513.12
- Previously, owners would have been *required* to collect data from tenants using specific DDOE-provided forms
- Forms now *optional* as a convenience
- Owners will be able to collect needed data with or without forms, or from tenants or third parties (e.g. utility companies)
- Tenants moving out must give data to landlord prior to moving out or as soon as practical thereafter

4. Official Warning Period

- § 3513.14
- Building **owners** or **non-residential tenants** who do not comply will get notice by mail
- 30-day warning period to collect & submit data
- No fines imposed until after end of warning period
- After warning period, fines accrue at rate of up to \$100/day

5. Multiple Buildings on a Tax Lot

- *§ 3513.2(c) and § 3513.3(d)*
- If buildings share utilities or systems without separate or sub-metering, benchmarking buildings independently not possible
- Size threshold will apply to combined gross floor area of all spaces that share master meters
- Must be benchmarked and submitted to DDOE as a single building or campus
- If buildings are metered separately, contact DDOE and provide documentation of meter configuration to be exempted

6. Updating Submitted Data

- § 3513.9
- If a building owner receives updated data, must update Portfolio Manager account and **re-submit within 30 days**
- Examples:
 - Data from previously non-compliant tenant
 - Correct, non-estimated data from utility company
 - Revised building floor area measurement

7. Delegation for single-tenant buildings

- § 3513.10
- If a tenant has leased the entire building *and* manages the entire building, the building owner can, with the consent of the tenant, formally delegate responsibility for benchmarking to the tenant

8. Reporting Non-Compliant Tenants

- § 3513.4(b)
- Building owners are required to report in Notes field any non-residential tenants who did not provide data despite the owner making reasonable efforts to request it
- Information is needed for full enforcement

9. Deadlines for 2010 and 2011 Data

- § 3513.15
- **Deadline:** 60 days after finalization
 - *(Estimate: November 15, 2012)*
- **Buildings over 200,000 gsf:** 2010 & 2011 data
- **Buildings 150,000-200,000 gsf:** 2011 data

10. New & Clarified Definitions

New Definitions

- Building (from GBA)
- Aggregate Utility Data
- Utility Data
- Utility Company

Clarified Definitions

- Building Owner
- Tenant
- Director of DDOE

Inclusion of Ground-Floor Retail Spaces

- Green Building Act applies to whole buildings
- ENERGY STAR does allow exclusion of certain spaces if they represent <10% of gross building area **and the data isn't available...**
- ...DC law requires non-residential tenants to make data available, so the regulations cover retail space
- With aggregate data, retail spaces included by default
- EPA's voluntary ENERGY STAR building certification is a separate program based on its own criteria

Exemption Process

- Existing GBA exemption process (*20 DCMR 3511.2(b)*) for a public interest exemption may be used to address national security concerns or other unique situations
- No change made to benchmarking regulation

Confidential Business Information

- DDOE will not collect confidential financial data or information on energy efficiency upgrades
- No change made to benchmarking regulation

Standard Electronic submission process

1. Download *District Reporting Template* for applicable year(s) into ESPM via link on DDOE website
2. Select template in ESPM's Custom Reporting Tool, and it will populate with all needed data
3. Verify accuracy and click "Release Data"
4. EPA sends email to confirm submission

Campus Submission

- For 2012 and 2013, click "Request Campus Report" on Portfolio Manager main page, download spreadsheet(s), e-mail to info.benchmark@dc.gov

Publication of Results

- Benchmark results will be made public in 2nd year of reporting for a building
- Results will be reported on the DDOE website
- Whole vs. Partial building data will be distinguished
- Data stored in secure US DoE database
- Data fields in public database:

Address	Year Built
Energy Performance Rating (1-100)	Energy Intensity
Electricity Use	Natural Gas Use
Water Use	CO ₂ Emissions
Space Type	Gross Building Area

- **Free Webinars from U.S. EPA**
 - www.energystar.gov/benchmark
- **Speakers Bureau**
- **DC SEU Benchmarking Help Center**
 - Technical assistance with ENERGY STAR Portfolio Manager and DC benchmarking requirements
 - FREE
 - Hotline: 202-525-7036
 - Email: benchmarking@dcseu.com

The logo for DCSEU consists of the letters "DC" in a bold, black, sans-serif font, followed by "SEU" in a green, outlined, sans-serif font.

DISTRICT OF COLUMBIA SUSTAINABLE ENERGY UTILITY

In-Person training sessions in August – November:

- September 12, 1pm - 4pm
 - EPA-sponsored ESPM training for Service Providers
- September 29, 10am - 1pm
 - ESPM Training for Condos and Co-ops
- October 11, 9am - 3pm
 - "Benchmarking & Beyond: Tools and Approaches for Improving the Energy Efficiency of DC's Affordable Housing Properties," October 11, 9am-3pm
- *More to be scheduled...check DDOE's benchmarking web page for information*

Questions? Comments?

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