

WAC 194-50-040 ASHRAE Standard 100, 2018—Section 4—Compliance.

4.1.1.1 A *building* or *complex of buildings* whose majority of gross floor area has activities in Table 7-1 shall comply with the requirements of Sections 4.2 and 4.3.

4.1.1.2 The *qualified person* determining compliance shall:

1. Determine whether or not the *building* seeking compliance has an *energy use intensity target (EUI_t)* according to Section 7;

2. Establish the *energy use intensity target (EUI_t)* according to Section 7;

3. Submit forms as specified in Normative Annex Z to the AHJ.

4.1.2 Residential Building - Not adopted.

4.1.3 Buildings with residential and nonresidential activities - Not adopted.

4.3.2 Buildings with energy targets. Buildings with energy targets must meet all the criteria for developing an energy target in Section 7.2 Determining energy use intensity target (EUI_t) and provide energy use data as specified by Section 5.2 Building energy monitoring. All other buildings shall comply with Section 4.3.3, Buildings without energy targets.

4.3.2.2 Building does not meet the energy use intensity target (EUI_t).

A qualified energy auditor shall complete an energy audit according to Section 8, and EEMs that will reduce energy use to meet the energy target shall be implemented according to Section 9. Upon completion of the implementation of all required EEMs, a building shall be granted conditional compliance.

Exceptions to 4.3.2.2:

1. *More recently built buildings:* For buildings that exceed the target developed in accordance with Section 7.2.1.1, but do not exceed the target developed in accordance with Section 7.2.1, the owner may demonstrate compliance by recommissioning the building using the existing-building commissioning process. The commissioning process consists of the following:

a. A certified commissioning professional shall implement the building commissioning process specified by the most recent edition of the Washington state energy code. The energy code commissioning process shall be modified by the certified commissioning professional for recommissioning purposes as described in ASHRAE Guideline 0.2-2015 Commissioning Process for Existing Systems and Assemblies and ASHRAE Guideline 1.2-2019 Technical Requirements for the Commissioning Process for Existing HVAC&R Systems and Assemblies.

b. Washington state energy code (WSEC) exceptions based on mechanical system or service water heating capacity shall not be applied when developing the scope for commissioning. For example, the 2018 WSEC, Section C408.1 General, the exceptions do not apply.

c. All deficiencies found during the commissioning process shall be resolved including corrections and retesting prior to submitting documentation for compliance or conditional compliance.

d. Building owners may omit capital expenditures identified by the commissioning process that are not cost effective, as documented using the procedures in Normative Annex X.

2. No individual requirement need be met that would compromise the historical integrity of a building or part of a building design-

ted by a government body for long-term preservation in its existing state, such as historical monuments. EEMs that can be implemented without modifying historical parts of the building shall be implemented as required by this standard. Documentation of historic significance must be provided to the AHJ by submitting Form G in accordance with Normative Annex Z.

4.3.2.3 Verification of compliance. Within fifteen months after the completion of Section 4.3.2.2, the weather normalized *EUI* shall be recalculated by the *energy manager (EM)* from twelve consecutive months of measured energy use, and Form A shall be resubmitted to the *AHJ*. If the *building's* post implementation measured *EUI* is less than or equal to the *energy target*, the *building* complies with the standard. If the *building's* post implementation measured *EUI* is greater than the *energy target*, the *building* does not comply with the standard and the *conditional compliance* is suspended until either:

- a. Additional EEMs have been implemented that reduce the subsequently measured *EUI* to below the energy target and a new Form A is submitted to the *AHJ*; or
- b. The *AHJ* revokes conditional compliance.

4.3.3 Buildings without energy targets.

Exception to 4.3.3.2: No individual requirement need be met that would compromise the historical integrity of a *building* or part of a *building* designated by a government body for long-term preservation in its existing state, such as historical monuments. Documentation of historic significance must be provided to the *AHJ* by submitting Form G in accordance with Normative Annex Z.

4.3.3.3 Verification of compliance for buildings with building energy monitoring in compliance with Section 5.2. If the building complies with Section 4.2, then within fifteen months following the completion of implementation of the optimized bundle of EEMs, building owners with conditional compliance or the qualified person representing the building owner shall submit verification that measured post implementation energy savings meet or exceed 75% of the energy savings projected in the energy audit report to the *AHJ*. Energy savings shall be compared at the whole-building consumption level in common units for electricity, fossil fuels, and other sources. If the measured postimplementation energy savings of the package of EEMs do not meet or exceed 75% of the energy savings projected in the energy audit, the conditional compliance is suspended until either:

- a. Additional EEMs are implemented that reduce the subsequently measured energy savings of the package of EEMs so that it meets or exceeds 75% of the energy savings projected in the energy audit; or
- b. The *AHJ* revokes conditional compliance.

4.3.3.4 Verification of compliance for buildings without building energy monitoring in compliance with Section 5.2. Verification of energy savings using the methods of the International Performance Measurement & Verification Protocol, Concepts and Options for Determining Energy and Water Savings Volume I options A through D. If the measurement and verification protocol identified any outstanding performance issues, they shall be corrected and the verification protocol shall be repeated to assure savings estimated in the original audit are realized.

4.4.1 Administrative requirements. Building owners shall demonstrate compliance with the standard by following the administrative requirements in Normative Annex Z, including:

Z2 Building owner response to notifications.
Washington state reporting requirements for building owners.

Z3 General compliance.

Z4 Documentation of compliance with the standard.

Z5 Violations, assessment of administrative penalties, mitigation and review of penalty decisions.

Z6 Compliance forms.

Z7 Section 7 tables as modified by Washington state.

4.4.2 Alternative energy targets (EUI_t) - Not adopted.

[Statutory Authority: RCW 19.27A.210. WSR 20-22-059, § 194-50-040, filed 10/30/20, effective 11/30/20.]