

## WSR 23-08-049

## PROPOSED RULES

## DEPARTMENT OF COMMERCE

[Filed March 31, 2023, 8:50 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-05-110.

Title of Rule and Other Identifying Information: The proposed rules to amend WAC 194-50-150 to increase the period for exemption application for building owners. This rule would make permanent the emergency rule filed as WSR 23-05-101.

Hearing Location(s): On May 9, 2023, at 10:00 a.m., virtual. Remote testimony will be accepted.

Date of Intended Adoption: June 15, 2023.

Submit Written Comments to: Liz Reichart, Washington Department of Commerce, 1011 Plum Street S.E., P.O. Box 42525, Olympia, WA 98504, email [buildings@commerce.wa.gov](mailto:buildings@commerce.wa.gov), by May 12, 2023.

Assistance for Persons with Disabilities: Contact Nick Manning, email [nick.manning@commerce.wa.gov](mailto:nick.manning@commerce.wa.gov), by May 2, 2023.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Chapter 194-50 WAC contains a process for building owners to apply for an exemption to the clean building performance standard. Currently, WAC 194-50-150 allows for building owners to apply for an exemption no sooner than 365 [days] prior to the date of compliance. The proposed rule change would allow building owners to apply for an exemption no sooner than three years prior to the date of compliance.

Reasons Supporting Proposal: The clean buildings performance standard requires certain buildings in the state to meet energy performance metrics over time. The standard exempts several building categories from compliance with the standard, for example, buildings scheduled for demolition or facing financial hardship, through a commerce approval process. The rules promulgated in chapter 194-50 WAC contain a process for buildings owners to apply for exemptions. WAC 194-50-150 states that building owners may apply for an exemption no sooner than 365 days prior to the date of compliance. However, commerce has received feedback from stakeholders [stating] that if an exemption application is denied by the agency, building owners require more time to bring buildings into compliance given the amount of time and financial resources it may take. Thus, commerce has concluded that providing a greater window of time for building owners to apply for, and for commerce to grant, exemptions is in the public interest and is likely to result in more buildings being compliant with the standard by the statutory compliance date.

Statutory Authority for Adoption: RCW 19.27A.210.

Statute Being Implemented: Chapter 19.27A RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Washington department of commerce, public.

Name of Agency Personnel Responsible for Drafting: Liz Reichart, 1011 Plum Street S.E., P.O. Box 42525, Olympia, WA 98504, 360-515-8194; Implementation and Enforcement: Washington Department of Commerce, 1011 Plum Street S.E., P.O. Box 42525, Olympia, WA 98504, 360-407-6000.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. The department of commerce is not a listed agency in RCW 34.05.328.

Scope of exemption for rule proposal from Regulatory Fairness Act requirements:

Is not exempt.

The proposed rule does not impose more-than-minor costs on businesses. Following is a summary of the agency's analysis showing how costs were calculated. The proposed change decreases financial burden on businesses applying for an exemption. Given the amount of time and financial resources it may take to bring buildings into compliance, if an exemption application is denied by the agency, building owners will receive more time under the proposed rule to do so.

March 31, 2023  
Amanda Hathaway  
Rules Coordinator

## OTS-4350.1

AMENDATORY SECTION (Amending WSR 20-22-059, filed 10/30/20, effective 11/30/20)

**WAC 194-50-150 Normative Annex Z—Washington state reporting requirements.**

### **Z1 Building owner notifications by the AHJ.**

**Z1.1 Notification to building owners of covered commercial buildings by the AHJ.** Based on records obtained from each county assessor and other available information sources, the AHJ must create a database of *covered commercial buildings* and *building owners* required to comply with the standard established in accordance with this section. The database may include buildings and *building complexes* presumed to meet the definition of *covered commercial building* and *multifamily buildings* greater than 50,000 square feet in floor area.

**Z1.1.1** The database will contain information about buildings that may be subject to compliance, their owners, and information about multifamily residential buildings eligible for incentives. The database will also contain information to assist tracking and reporting on building owner compliance, and incentive application and distribution. Commerce will create a method for tracking building owner notification responses. Each building or building complex will be assigned a unique building identifier.

**Z1.2** By July 1, 2021, the AHJ must provide the owners of covered commercial buildings with notification of compliance requirements. Notifications will be mailed to the mailing addresses county assessors have on file.

**Z1.3** Failure by the AHJ to provide the notification in Z1.2 does not release the *building owner* of the legal obligation to comply with this law.

**Z1.4** By July 1, 2021, the AHJ must provide notifications to the building owners of multifamily residential building where the floor area

exceeds (~~(fifty thousand)~~) 50,000 gross square feet, excluding the parking garage area.

## **Z2 Building owner response to notifications.**

**Z2.1 Correction of errors.** *Building owners* are responsible for reviewing the property and building information provided by the AHJ through notification including, but not limited to, *building or building complex ownership details, gross floor area, and other information as identified by the building owner.*

**Z2.1.1 Correction of errors documentation form.** Building owners who are notified in error may submit a correction form to the AHJ. The correction form will be used to document gross floor area (conditioned and unconditioned) and/or building type. Building owners that submit the correction form must also submit the documentation required to demonstrate an exception as required in Section Z4.1 prior to the compliance date if applicable.

## **Washington State Reporting Requirements for Building Owners.**

**Z3 General compliance.** The building owner of a *covered commercial building* must report compliance with the standard to the AHJ in accordance with the compliance schedule established under Section Z3.1 and every five years thereafter. For each reporting date, the building owner must submit documentation to demonstrate that:

1. The weather normalized energy use intensity of the *covered commercial building* measured in a period not to exceed two years prior to the compliance deadline specified in Normative Annex Z3.1 is less than or equal to the energy use intensity target (buildings that meet their energy targets); or
2. The *covered commercial building* has received conditional compliance from the department based on energy efficiency actions prescribed by the standard; or
3. The *covered commercial building* is exempt from the standard by demonstrating that the building meets one of the criteria for an exemption.

**Z3.1 Compliance schedule.** The building owner of a covered commercial building must report the building owner's compliance with the standard to the department in accordance with the appropriate initial compliance date as follows and every five years thereafter.

1. For a building with more than (~~(two hundred twenty thousand)~~) 220,000 gross square feet, June 1, 2026;
2. For a building with more than (~~(ninety thousand)~~) 90,000 gross square feet but less than (~~(two hundred twenty thousand)~~) 220,000 and one gross square feet, June 1, 2027; and
3. For a building with more than (~~(fifty thousand)~~) 50,000 gross square feet but less than (~~(ninety thousand)~~) 90,000 and one square feet, June 1, 2028.

**Z3.1.1 Early compliance option.** Building owners may submit for compliance to the AHJ beginning July 1, 2023. The weather normalized energy use intensity of the covered commercial building shall be measured in a period not to exceed two years prior to the submission of compliance documentation. This section expires June 1, 2028.

**Z3.1.2 Application for conditional compliance.** Applications for conditional compliance must be submitted to the AHJ (~~(one hundred eighty)~~) 180 days prior to the compliance date to receive conditional compliance approval prior to the compliance date.

**Z3.1.3 Application for exemption.** Building owners submitting an application for exemption as specified in Section Z4.1 must be submitted to the AHJ (~~(one hundred eighty)~~) 180 days prior to the compliance date to receive exemption approval prior to the compliance date.

**Z4 Documentation of compliance with the standard.** Documentation of compliance shall be submitted to the AHJ demonstrating the building owner has complied with the standard through submission of documentation in accordance with Section Z4.1, Z4.2, Z4.3, Z4.4 or Z4.5. Additional requirements for continued reporting may be required as specified in Z4.6.

**Z4.1 Documentation of compliance through exemption.** *Building owners* seeking approval of exemption shall submit to the AHJ the Z6.7 Form H, Application for exemption certificate documenting the following:

1. The building qualifies for one of the following exemptions:
  - a. Compliance with the exemption must be verified by the owner based on the building as it is to be occupied and operating on the compliance date;
  - b. Applications for exemptions may be submitted no sooner than (~~(1 year)~~) three years prior to the compliance date and submitted to the AHJ no later than (~~(one hundred eighty)~~) 180 days prior to the compliance date;
  - c. Exemptions certificates are only valid for the current compliance review cycle.
  - d. Within six months before the compliance date, building owners who have received exemption approval must certify that the building still meets the eligibility qualifications for the exemption and that there have been no material changes to qualifying conditions. A template for acceptable declarations will be made available by the AHJ on the agency website.
2. Covered commercial buildings are not eligible for exemption from the standards unless they meet one of the following criteria:
  - a. The building did not have a certificate of occupancy or temporary certificate of occupancy for a consecutive (~~(twelve)~~) 12 months period within two years prior to the compliance date;
  - b. The building did not have physical occupancy by owner or tenant for at least (~~(fifty)~~) 50 percent of the *conditioned floor area* throughout the consecutive (~~(twelve month)~~) 12-month period prior to the building compliance date;
  - c. The sum of the *building's gross floor area* minus *unconditioned and semi-conditioned spaces*, as defined in the Washington State Energy Code, is less than (~~(fifty thousand)~~) 50,000 square feet;
  - d. More than 50% of the gross floor area of the building is primarily used for manufacturing or other industrial purposes, as defined under the following use designations of the Washington state edition of the *International Building Code*:
    - i. Factory group F; or
    - ii. High hazard group H.
  - e. The building is an agricultural structure;
  - f. The building is pending demolition; or
  - g. The building meets at least one of the following conditions of financial hardship:
    - i. The building had arrears of property taxes or water or wastewater charges that resulted in the building's inclusion, within the prior two years, on a city's or county's annual tax lien sale list;

- ii. The building has a court appointed receiver in control of the asset due to financial distress;
- iii. The building is owned by a financial institution through default by a borrower;
- iv. The building has been acquired by a deed in lieu of foreclosure within the previous (~~twenty-four~~) 24 months;
- v. The building has a senior mortgage subject to a notice of default;
- vi. The building owner has an immediate and heavy financial need which cannot be satisfied from other reasonable available resources and which are caused by events that are beyond their control.

3. After documents have been submitted and reviewed, the AHJ will send notification of approval or denial.

a. If the exemption is approved the AHJ shall notify the applicant stating the application has been approved and update the AHJ records for the building.

b. If the exemption is denied the AHJ shall notify the applicant stating the application has been denied and update the AHJ records for the building.

4. When an application for exemption is denied the building owner must proceed with the process to demonstrate compliance with one of the compliance options in Washington state reporting requirements for building owners, Z4.2-Z4.5.

**Z4.2 Buildings that meet the  $EUI_t$ .** *Building owners* must provide the following documentation to verify that the building *weather normalized*  $EUI$  is less than the building  $EUI_t$  and that the energy management plan is complete and being implemented.

- Form A;
- Form B;
- Form C.

**Z4.3 Buildings that will meet the building investment criteria prior to the compliance date.** Building owners must provide the following documentation to verify that the building has implemented all EEMs that meet the cost effectiveness criteria resulting from the energy audit and economic evaluation criteria from Normative Annex X. The energy management plan must be completed and implemented and all EEMs must be installed and commissioned prior to the compliance date.

- Form A;
- Form B;
- Form C, except buildings unable to meet Section 5.2, Building energy monitoring;
- Energy audit report:
  - Level 2 energy audit;
  - Normative Annex X - Investment Criteria Form.

**Z4.4 Buildings that will meet the  $EUI_t$  through conditional compliance.** *Building owners* must provide the following documentation to verify that the building *weather normalized*  $EUI$  is projected to be less than the building  $EUI_t$  at the end of the measurement and verification period and that the energy management plan is complete and being implemented. EEMs required to meet the  $EUI_t$  must be installed and commissioned prior to the compliance date. Verification and completion shall be documented as required in Section Z4.6.

- Form A;
- Form B;

- Form C;
- Energy audit report:
  - Level 2 Energy Audit.
- Continued reporting until completion as specified in Section Z4.6.

**Z4.5 Buildings that will meet the building investment criteria through conditional compliance.** Building owners must provide the following documentation to verify that the building has implemented all EEMs that meet the cost effectiveness criteria resulting from the energy audit and economic evaluation criteria from Normative Annex X. The energy management plan must be completed and implemented and all EEMs must be installed and commissioned prior to the compliance date. Verification and completion shall be documented as required in Section Z4.6.

- Form A;
- Form B;
- Form C, except buildings unable to meet Section 5.2 Building Energy Monitoring;
- Energy audit report:
  - Level 2 energy audit;
  - Normative Annex X - Investment Criteria Form.
- Continued reporting until completion as specified in Section Z4.6.

**Z4.5.1 Phased implementation.** The building owner may include phased implementation of EEMs such that the *building owner* is not required to replace a system or equipment before the end of the system or equipment's useful life. System or equipment fitting this description shall be included in the energy audit and Normative Annex X - Investment Criteria submission with a schedule for replacement. Phased implementation shall be documented in the *energy management plan* and *capital management plan* required in Section 5.

**Z4.6 Continued reporting until completion.** Continued reporting is required as specified in Sections Z4.6.1 and Z4.6.2 until completion when: a) measurement and verification extends one year or more beyond the compliance date, or b) implementation is extended phased implementation.

**Z4.6.1 Annual reporting.** The following up to date reports shall be submitted to the AHJ annually, (date specific).

- Form A;
- Form B;
- Form C, except buildings unable to meet Section 5.2, Building energy.

**Z4.6.2 Completion Reporting.** The following up to date reports shall be submitted to the AHJ when all conditions of compliance have been verified and documented:

- Form A;
- Form B;
- Form C, except buildings unable to meet Section 5.2, Building energy monitoring. Buildings unable to meet Section 5.2 shall include the verification specified in Section 9.2.2 in the *building energy management plan*.

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

**Z5.1 Authorization.** The AHJ is authorized to impose administrative penalties upon building owners for failing to submit documentation demonstrating compliance with the requirements of this standard.

Failure to submit documentation demonstrating compliance by the scheduled reporting date will result in progressive penalties by legal notice.

**Z5.2 Notice of violation and opportunity to correct (NOVC) (first notice).**

**Z5.2.1** The department may issue a NOVC when a building owner has failed to submit documentation that demonstrates compliance with this standard by the scheduled reporting date.

**Z5.2.2** A NOVC may be issued for any of the following reasons:

1. Failure to submit a compliance report in the form and manner prescribed by the AHJ;
2. Failure to meet an energy use intensity target or failure to receive conditional compliance approval;
3. Failure to provide accurate reporting consistent with the requirements of the standard; and
4. Failure to provide a valid exemption certificate.

The AHJ will identify in the NOVC which section(s) of law, code, or the standard for which the *building owner* has failed to demonstrate compliance.

**Z5.2.3** The NOVC will specify the time by which the building owner must cure the violation by submitting documentation that demonstrates compliance with the identified section(s) of law, code, or the standard. The AHJ will give the building owner at least seven calendar days to submit such documentation.

**Z5.2.4** If sufficient documentation is not submitted by the date specified in the NOVC, the AHJ will issue a notice of violation and intent to assess administrative penalties (NOVI) and the *building owner* will be subject to administrative penalties.

**Z5.3 Notice of violation and intent to assess administrative penalties (NOVI) (second notice).**

**Z5.3.1** If a *building owner* fails to respond to a NOVC by submitting documentation demonstrating compliance by the date specified in the NOVC, the AHJ will issue a NOVI.

**Z5.3.2** The AHJ will identify in the NOVI which section(s) of law, code, or the standard for which the building owner has failed to demonstrate compliance. The NOVI will also include a description of how the penalties the AHJ intends to assess will be calculated.

Building owners must respond to a NOVI within (~~thirty~~) 30 days by either:

1. Submitting an application for exemption in accordance with Section Z4.1 if applicable;
2. Submitting a noncompliance mitigation plan in accordance with Z5.7;
3. Submitting its intent to pay the penalties by using the form provided by the AHJ; or
4. Submitting a request for an administrative proceeding to challenge or mitigate the penalty.

**Z5.3.3** If the *building owner* does not timely request a hearing or submit an application for exemption, the *building owner* waives its right

to a hearing and the director or their designee may issue a final order assessing the penalties described in the NOVI. If the *building owner* has submitted a mitigation plan, the final order will only assess penalties from the scheduled compliance date until the date of an approval of compliance or conditional compliance.

**25.3.4** Building owners who submit an application for exemption that is denied may request a hearing by submitting a request for a hearing within (~~(thirty)~~) 30 days of issuance of the decision denying its application for exemption. If the building owner does not request a hearing within (~~(thirty)~~) 30 days, the building owner waives its right to a hearing and the director or their designee may issue a final order assessing the penalties described in the NOVI.

**25.4 Assessment of administrative penalties.**

**25.4.1** Failure to submit documentation demonstrating compliance with the standard by the date specified in a NOVC will result in the issuance of a NOVI and the assessment of administrative penalties at an amount not to exceed (~~(five thousand dollars)~~) \$5,000 plus an amount based on the duration of any continuing violation. The additional amount for a continuing violation may not exceed a daily amount equal to one dollar per square foot of gross floor area per year.

**25.4.1.1 Penalties for building owners that submit a noncompliance mitigation plan.** For building owners subject to a NOVI who respond within (~~(thirty)~~) 30 days by submitting a noncompliance mitigation plan (25.7), fines shall be assessed on an annual basis or when the building owner achieves compliance or conditional compliance.

a. For applicants that submit a noncompliance mitigation plan and who submit documentation demonstrating completion, daily penalties will be assessed from the scheduled compliance date to the date of approval of compliance or conditional compliance. The penalty will be assessed at an amount not to exceed (~~(30% of five thousand dollars)~~) 30 percent of \$5,000 plus a daily amount equal to (~~(\$0.20)~~) 20 cents per square foot of gross floor area per year.

b. For applicants that submit a noncompliance mitigation plan but have not submitted documentation demonstrating completion, if the building does not comply with the standard by the next compliance date, the building owner will be assessed the maximum penalty of (~~(five thousand dollars)~~) \$5,000 plus a daily amount equal to (~~(\$1.00)~~) one dollar per square foot of gross floor area per year not to exceed a value greater than (~~(eighteen)~~) 18 months of accrued penalty.

The AHJ may by rule increase the penalty rates to adjust for the effects of inflation.

**25.4.1.2 Penalties for building owners that choose to pay the fine rather than pursuing compliance.** Building owners may choose to respond to the NOVI by paying the maximum penalty. The building owner will be assessed the maximum penalty of (~~(five thousand dollars)~~) \$5,000 plus a daily amount equal to (~~(\$1.00)~~) one dollar per square foot of gross floor area per year not to exceed a value greater than (~~(eighteen)~~) 18 months of accrued penalty. Penalties are assessed for each compliance period.

The AHJ may by rule increase the penalty rates to adjust for the effects of inflation.

**25.4.2** When assessed penalties are not paid within (~~(one hundred eighty)~~) 180 days of the date of a final order assessing penalties,

the AHJ may assess further penalties. Total penalties assessed will not exceed (~~five thousand dollars~~) \$5,000 plus a daily amount equal to (~~(\$1.00)~~) one dollar per square foot of gross floor area per year.

**25.4.3** Interest will accrue on civil penalties pursuant to RCW 43.17.240 if and when the debt becomes past due.

**25.5 Due date and collection of penalties.**

**25.5.1** Penalties shall become due and payable on the later of:

1. Thirty days after receipt of the final order imposing the penalty; or

2. The date specified in the final order imposing the penalty.

**25.5.2** If a penalty has not been paid by the due date, the AHJ may assign the debt to a collection agency as authorized by RCW 19.16.500 or take other action to pursue collection as authorized by law. If referred to a collection agency, the AHJ may add a reasonable fee, payable by the debtor, to the outstanding debt for the collection agency fee.

**25.5.3** For building owners that are implementing a noncompliance mitigation plan but have not yet complied, the AHJ may assess the accumulated daily fine on June 1st of each year or shortly thereafter.

**25.6 Payment of administrative penalties.**

A check or money order payable in U.S. funds to the Washington state department of commerce can be mailed to:

Washington State Department of Commerce  
Re: Clean Buildings Initiative, Energy Division  
P.O. Box 42525  
Olympia, WA 98504-2525

**25.7 Noncompliance mitigation plan.** Owners of covered commercial buildings that are out of compliance by the scheduled compliance date and have not corrected the violation by the date noted in a NOVC may reduce possible penalties by demonstrating that they are taking action to achieve compliance with the standard. To begin the process of mitigating noncompliance, a building owner must submit to the AHJ the non-compliance mitigation plan form selecting one of the following actions within (~~(thirty)~~) 30 days of the date of a NOVI to avoid immediate issuance of penalty in accordance with Z5.4.1.

1. Compliance with the standard in accordance with Z4.2.

2. Conditional compliance with the standard in accordance with Z4.4.

3. Conditional compliance with the standard in accordance with Z4.5.

**25.7.1 Mitigation completion.** To demonstrate completion, the building owner shall complete all of the requirements of this standard and submit documentation as required by Section Z4.2, Z4.4 or Z4.5. After the building owner has demonstrated completion, the AHJ shall issue a final order assessing the reduced penalty as specified by Z5.4.1.1(a).

**25.8 Administrative hearings.**

**25.8.1 Requesting a hearing.** A *building owner* may request an administrative hearing after receiving an NOVI or after the denial of its application for an exemption by submitting a request within (~~(thirty)~~) 30 days of the date of a NOVI or the denial of a timely application for exemption. All requests must be made in writing and filed at the address specified on the NOVI. For convenience, the AHJ will attach a

form titled request for hearing to the NOVI that may be used to request an administrative hearing.

Requests for hearing must be accompanied by the following:

1. Washington State Building ID;
2. Submit Annex Z Forms A, B, and C.

**25.8.2 Hearing process.** The AHJ may refer matters to the office of administrative hearings (OAH). Administrative hearings will be conducted in accordance with chapter 34.05 WAC, Administrative Procedure Act, chapter 10-08 WAC, Model rules of procedure, and the procedural rules adopted in this chapter. In the case of a conflict between the model rules of procedure and the procedural rules adopted in this section, the procedural rules adopted in this section take precedence.

**25.8.3 Initial orders to become final orders.** Initial orders issued by the presiding officer will become final without further agency action unless, within (~~twenty~~) 20 days:

1. The director determines that the initial order should be reviewed; or
2. A party to the proceeding files a petition for administrative review of the initial order. Upon occurrence of either event, notice shall be given to all parties to the proceeding.

**25.8.4. Judicial review.** A final order entered pursuant to this section is subject to judicial review pursuant to RCW 34.05.510 through 34.05.598.

**25.8.5 Collected penalties.** The AHJ will deposit all penalties collected and received by the department under this section into the low-income weatherization and structural rehabilitation assistance account created in RCW 70.164.030.

**Z6 Compliance forms.** The following section replace Normative Annex C Forms in Standard 100 and provide additional forms specified by rule. Building owners are required to submit the applicable forms and the required supporting information to demonstrate compliance with the standard. These forms replace all referenced forms in this standard. The AHJ will make these forms available in an electronic format for submission to the AHJ.

**Z6.1 Compliance with Standard 100 (Form A)**

1. Building identification:
  - a. WA state building ID;
  - b. County;
  - c. County parcel number(s);
  - d. Portfolio manager property ID number;
  - e. Property name;
  - f. Parent property name;
  - g. Address 1 (street);
  - h. Address 2;
  - i. City;
  - j. State; and
  - k. Postal code.
2. Contact information:
  - a. *Building owner* name(s);
  - b. Contact name;
  - c. Address 1 (street);
  - d. Address 2;
  - e. City;
  - f. State/Province;

- g. Country;
- h. Postal code;
- i. Telephone number;
- j. Email address.
- 3. Qualified person:
  - a. Qualified person name;
  - b. Address 1 (street);
  - c. Address 2;
  - d. City;
  - e. State;
  - f. Postal code;
  - g. Telephone number;
  - h. Email address:
  - i. Licensed, certified (select all that apply);
  - ii. Licensure or certifying authority.
- 4. *Energy manager* (if different than the qualified person):
  - a. Energy manager name;
  - b. Address 1 (street);
  - c. Address 2;
  - d. City;
  - e. State/Province;
  - f. Postal code;
  - g. Country;
  - h. Telephone number;
  - i. Email address.
- 5. This compliance report is for:
  - a. Building that meets the  $EUI_t$ ;
  - b. Building that meets the building investment criteria prior to the compliance date;
  - c. Building that will meet the  $EUI_t$  through conditional compliance;
  - d. Building that will meet the building investment criteria through conditional compliance;
  - e. Annual reporting;
  - f. Completion reporting.
- 6. Summary data:
  - a. Energy utilization index target ( $EUI_t$ ) (kBtu/ft<sup>2</sup> yr) based on completed Z6.2 Form B;
  - b. Measured site  $EUI$  (kBtu/ft<sup>2</sup>) for the compliance year for this building based on Z6.3 Form C;
  - c. Measured weather normalized site  $EUI$  (kBtu/ft<sup>2</sup>) for the compliance year based on Z6.3 Form C;
  - d. List the months/year of the collected data (mm/yyyy - mm/yyyy) for the compliance year for this building from Z6.3 Form C;
  - e. Buildings unable to comply with Section 5.2, Building energy monitoring and complete Z6.3 Form C shall provide a reason statement.
- 7. Have the energy management requirements of Section 5 been met?
  - Yes  No
    - Upload energy management plan as specified by the AHJ.
- 8. Have the operation and maintenance requirements of Section 6 been met?  Yes  No
  - Upload operation and maintenance implementation documentation as specified by the AHJ.
- 9. Date the audit and economic evaluation was completed (N/A if none required).
  - Upload audit reports as specified by Z6.4 Form D.

10. Have all EEMs required by Section 8 been implemented? [ ] Yes  
[ ] No
11. Have the requirements of Section 9 been completed? [ ] Yes  
[ ] No
12. We state that this building complies with ANSI/ASHRAE/IES Standard 100 as amended by the AHJ to conform with RCW 19.27A.210:
- Signature of building owner:
    - Date:
  - Signature of qualified person:
    - Date:
  - Signature of energy manager:
    - Date:
  - Signature of authority having jurisdiction:
    - Conditional or final compliance:
    - Date:

**Z6.2 Building activity and energy use intensity target ( $EUI_t$ ) (Form B). - Complete form provided by the AHJ with the following information:**

- Building identification:
  - Washington state building ID;
  - County;
  - County parcel number(s);
  - Portfolio manager property ID number;
  - Property name;
  - Parent property name;
  - Address 1 (street);
  - Address 2;
  - City;
  - State; and
  - Postal code.
- List the building location climate zone, 4C or 5B. Determine the climate zone using ASHRAE climate zone as found on the map in Informative Annex G. Buildings located in Climate Zone 6 shall use Climate Zone 5B.
- The gross floor area in square feet shall be reported as defined in Section 3.
- If entire building is single activity/type not listed in Table 7-1, it should be listed as "building without target" on Z6.1 form. List "energy target" as "N/A" on Z6.2 Form B and Z6.2 Form B is considered complete.
- Fill in fraction of gross floor area (A)<sub>i</sub> for each activity. For single-activity buildings this is 1.0.
- Fill in the operating shifts normalization factor (S)<sub>i</sub> from Table 7-3 for each activity that has an area entered from Step 6.
- Fill in the activity energy target ( $EUI_{t1}$ )<sub>i</sub> from Table 7-2 (or table from AHJ) for each activity that has an area entered from Step 6.
- Calculate weighted space EUJ target ( $A \times S \times EUI_{t1}$ )<sub>i</sub> for each activity that has an area entered from Step 6.
- Add up fraction of floor area and enter sum in "Total fraction of floor area with target," and add up all weighted space EUJ targets and enter sum as the "energy target" on Z6.2 and Z6.1 Forms B and A.
- If more than 50% of gross floor area has no target, it should be listed as "building without target" on Z6.1 Form A. List "energy target" as "N/A" on Z6.2 Form B.  
For single-activity *buildings* this is 1.0.

**Z6.3 Energy-Use Intensity Calculations (Form C).**

Energy Use Intensity Calculations shall be reported via the U.S. EPA's ENERGY STAR Portfolio Manager ([www.energystar.gov/benchmark](http://www.energystar.gov/benchmark)). The *energy manager* is responsible for creating Energy Star portfolio manager record for each building.

**Exception to Z6.3:** Buildings unable to comply with Section 5.2, Building energy monitoring shall demonstrate compliance through Z4.3 or Z4.5.

The Energy Star portfolio manager building record shall be identical to the building activity/type, fraction floor area, operating shifts (hours of operation) and gross floor area of the building as reported on Form B. All inputs shall be up to date prior to reporting as required in Section Z4 and annually as required in Section 5.1.2.3, Annual updates of the *net energy use* and *EUI*.

Prior to submitting reports run the Energy Star portfolio manager data quality checker and make all corrections required to complete the report.

The energy manager shall use the EPA's Energy Star portfolio manager share properties feature and share the property data with the AHJ by enabling the read only access and exchange data feature.

For each report submitted under Section Z4, the energy manager shall create and submit a report documenting the required data fields listed (below) and other fields deemed necessary by the AHJ for the reporting period. This shall be submitted using the Washington state report specified in Energy Star portfolio manager.

Report fields shall include:

- Portfolio manager property ID;
- Portfolio manager parent property ID;
- Property name;
- Parent property name;
- Address 1;
- Address 2;
- City;
- County;
- State/Province;
- Postal Code;
- Primary property type - Self-selected;
- Primary property type - EPA calculated;
- List of all property use types at property;
- Property GFA - Self-reported (ft<sup>2</sup>);
- Property GFA - EPA calculated (buildings and parking) (ft<sup>2</sup>);
- Property GFA - EPA calculated (buildings) (ft<sup>2</sup>);
- Property GFA - EPA calculated (parking) (ft<sup>2</sup>);
- Largest property use type;
- Largest property use type - Gross floor area (ft<sup>2</sup>);
- 2nd Largest property use type;
- 2nd Largest property use - Gross floor area (ft<sup>2</sup>);
- 3rd Largest property use type;
- 3rd Largest property use type - Gross floor area (ft<sup>2</sup>);
- Year built;
- Occupancy;
- Property notes;
- Property data administrator;
- Property data administrator - Email;

- Last modified date - Property;
- Last modified date - Electric meters;
- Last modified date - Gas meters;
- Last modified date - Nonelectric nongas energy meters;
- Local standard ID(s) Washington state building standard;
- Data center - Energy estimates applied;
- Electricity use - Grid purchase and generated from on-site renewable systems (kWh);
- Electricity use - Grid purchase (kWh);
- Electricity use - Generated from on-site renewable systems and used on-site (kWh);
- Natural gas use (therms);
- Fuel oil #1 use (kBtu);
- Fuel oil #2 use (kBtu);
- Fuel oil #4 use (kBtu);
- Fuel oil #5 and 6 use (kBtu);
- Diesel #2 use (kBtu);
- Kerosene use (kBtu);
- Propane use (kBtu);
- District steam use (kBtu);
- District hot water use (kBtu);
- District chilled water use (kBtu);
- Coal - Anthracite use (kBtu);
- Coal - Bituminous use (kBtu);
- Coke use (kBtu);
- Wood use (kBtu);
- Other use (kBtu);
- Default values;
- Temporary values;
- Estimated data flag - Electricity (grid purchase);
- Estimated data flag - Natural gas;
- Alert - Data center does not have an IT meter;
- Alert - Gross floor area is 0 ft<sup>2</sup>;
- Alert - Property has no uses;
- Data quality checker - Date run;
- Data quality checker run - ?
- Alert - Energy meter has less than 12 full calendar months of data;
- Alert - Energy meter has gaps;
- Alert - Energy meter has overlaps;
- Alert - Energy - No meters selected for metrics;
- Alert - Energy meter has single entry more than ((~~sixty-five~~)) 65 days;
- Estimated values - Energy;
- Energy Star score;
- National median site energy use (kBtu);
- Site energy use (kBtu);
- Site EUI (kBtu/ft<sup>2</sup>);
- Weather normalized site energy use (kBtu);
- Weather normalized site EUI (kBtu/ft<sup>2</sup>);
- Weather normalized site electricity (kWh);
- Weather normalized site electricity intensity (kWh/ft<sup>2</sup>);
- Weather normalized site natural gas use (therms);
- Weather normalized site natural gas intensity (therms/ft<sup>2</sup>) energy current date;

- Electricity use - Generated from on-site renewable systems (kWh);
- Electricity use - Generated from on-site renewable systems and exported (kWh);
- Electricity Use - Grid purchase and generated from on-site renewable systems (kBtu);
- Electricity use - Grid purchase (kBtu);
- Electricity use - Generated from on-site renewable systems and used on site (kBtu);
- Natural gas use (kBtu);
- Percent of total electricity generated from on-site renewable systems;
- Cooling degree days (CDD) (°F);
- Heating degree days (HDD) (°F);
- Weather station name;
- Weather station ID.

**Z6.4 End-use analysis requirements.** Building owners shall demonstrate compliance with Form D by providing the documentation required by section Z6.4.1.

**Z6.4.1 Energy Audit Forms (Form D).** The energy audit form shall be provided electronically by completing the energy audit form included in the U.S. Department of Energy, Energy Asset Score Tool, or an equivalent tool provided by the AHJ. This form shall be completed in compliance with the level 2 energy audit, as published in ASHRAE Standard 211, Standard for commercial building energy audits.

**Form E** - Not adopted.

**Z6.5 Annex X, Investment Criteria Tool (Form F).**

**Z6.5.1** To demonstrate compliance with the investment criteria of Normative Annex X, building owners shall complete and submit Form F.

**Z6.5.2 Form F shall be developed by the AHJ.** Form F shall be a life cycle cost evaluation tool compliant with NIST Standard 135 and capable of supporting the evaluation criteria required by Normative Annex X.

**Z6.6 Documentation of a building of historic significance (Form G).**

**Energy efficiency measure exemptions for historic buildings.** No individual energy efficiency measure identified by energy efficiency audits need to be implemented if it would compromise the historical integrity of a building or part of a building. Building owners seeking this exception shall provide the following documentation. Certified historic buildings are not exempt from the other requirements of this standard.

**Plan for compliance.** The owner of a qualifying historic building shall have the plan for compliance evaluated by a qualified historic preservationist, as defined in 36 C.F.R., Part 61, identifying any energy efficiency requirement that may compromise the historic integrity of the building or part of the building. Any element of the plan identified to compromise the historic integrity of the building or part of the building shall be omitted from the compliance plan. Evidence of this evaluation must be submitted to the AHJ for approval.

**Documentation of a historic building.** Building owners must provide documentation to the AHJ that proves its historic identification or eligibility. Valid documentation from any existing programs listed below is acceptable.

1. Examples of existing programs that verify historic property include:
  - a. The National Register of Historic Places;
  - b. The Washington heritage register;
  - c. Properties that are identified by the department of archaeology and historic preservation (DAHP) to be eligible for listing in either one of these registers; and
  - d. Properties which are listed in a local register of historic places; or
2. Other documentation approved by the AHJ.

**Z6.7 Application for Exemption Certificate (Form H).**

Apply for an exemption certificate by submitting the following documentation to the building owner in the form specified by the AHJ. The application must include:

1. Building identification:
  - a. Washington state building ID;
  - b. County;
  - c. County parcel number(s);
  - d. Portfolio manager property ID number;
  - e. Property name;
  - f. Parent property name;
  - g. Address 1 (street);
  - h. Address 2;
  - i. City;
  - j. State; and
  - k. Postal code.
2. Contact information:
  - a. Building owner name(s);
  - b. Contact name;
  - c. Address 1 (street);
  - d. Address 2;
  - e. City;
  - f. State/Province;
  - g. Country;
  - h. Postal code;
  - i. Telephone number; and
  - j. Email address.
3. Building information:
  - a. Primary building activity from Table 7-1, or a description of the nonlisted building type;
  - b. Building gross floor area;
  - c. Building gross conditioned floor area.
4. Reason for exemption: Based on exemptions listed in Section 24.1(2).

A list all of documents enclosed and any facts in support of this application. Provide at least two of the acceptable documents listed below:

- a. Municipal or county records;
- b. Documents from a qualified person;
- c. Construction permit;
- d. Certificate of occupancy or application for certificate of occupancy;
- e. Demolition permit;
- f. Financial statements such as statement of assets; liabilities, capital, and surplus, statement of revenue and expenses; or statement of case flow;

g. A letter from the building owner stating facts and explaining financial hardships;

h. Other documentation approved by the AHJ.

5. Signature and statement of *building owner* stating that the authorized representative of the building, affirm and attest to the accuracy, truthfulness and completeness of the statements of material fact provided in this form.

**Z7 Section 7—Tables as modified by Washington state.**

**Table 7-1 Commercial Building Types/Activities**

No.	Building Activity Type <sup>1,2</sup>			Notes
	Portfolio Manager Types	Portfolio Manager Sub-Types	Sub-Types: Detailed	
1	Banking/financial services	Bank Branch		
2	Banking/financial services	Financial Office		
3	Education	Adult Education		
4	Education	College/University		
5	Education	K-12 School	Elementary/middle school	
6	Education	K-12 School	High school	
7	Education	Preschool/Daycare		
8	Education	Vocational School		
9	Education	Other - Education		
10	Entertainment/public assembly	Aquarium		
11	Entertainment/public assembly	Bar/Nightclub		
12	Entertainment/public assembly	Bowling Alley		
13	Entertainment/public assembly	Casino		
14	Entertainment/public assembly	Convention Center		
15	Entertainment/public assembly	Fitness Center/Health Club/Gym		
16	Entertainment/public assembly	Ice/Curling Rink		
17	Entertainment/public assembly	Indoor Arena		
18	Entertainment/public assembly	Movie Theater		
19	Entertainment/public assembly	Museum		
20	Entertainment/public assembly	Performing Arts		
21	Entertainment/public assembly	Race Track		
22	Entertainment/public assembly	Roller Rink		
23	Entertainment/public assembly	Social/Meeting Hall		
24	Entertainment/public assembly	Stadium (Closed)		
25	Entertainment/public assembly	Stadium (Open)		
26	Entertainment/public assembly	Swimming Pool		
27	Entertainment/public assembly	Zoo		
28	Entertainment/public assembly	Other - Entertainment/Public Assembly	Entertainment/culture	
29	Entertainment/public assembly	Other - Entertainment/Public Assembly	Library	
30	Entertainment/public assembly	Other - Entertainment/Public Assembly	Other public assembly	
31	Entertainment/public assembly	Other - Entertainment/Public Assembly	Recreation	
32	Entertainment/public assembly	Other - Entertainment/Public Assembly	Social/meeting	

No.	Building Activity Type <sup>1,2</sup>			Notes
	Portfolio Manager Types	Portfolio Manager Sub-Types	Sub-Types: Detailed	
33	Entertainment/public assembly	Other - Recreation		
34	Entertainment/public assembly	Other - Stadium		
35	Food sales and service	Bar/Nightclub		
36	Food sales and service	Convenience Store with Gas Station		
37	Food sales and service	Convenience Store without Gas Station		
38	Food sales and service	Fast Food Restaurant		
39	Food sales and service	Food Sales	Grocery/food market	
40	Food sales and service	Food Sales	Convenience store with gas	
41	Food sales and service	Food Sales	Convenience store	
42	Food sales and service	Food Sales	Other food sales	
43	Food sales and service	Food Service	Fast food	
44	Food sales and service	Food Service	Restaurant/cafeteria	
45	Food sales and service	Food Service	Other food service	
46	Food sales and service	Restaurant		
47	Food sales and service	Supermarket/Grocery Store		
48	Food sales and service	Wholesale Club/Supercenter		
49	Food sales and service	Other - Restaurant/Bar		
50	Healthcare	Ambulatory Surgical Center		
51	Healthcare	Hospital (General Medical & Surgical)*		
52	Healthcare	Medical Office		3
53	Healthcare	Outpatient Rehabilitation/Physical Therapy		
54	Healthcare	Residential Care Facility		
55	Healthcare	Senior Care Community		
56	Healthcare	Urgent Care/Clinic/Other Outpatient		
57	Healthcare	Other - Specialty Hospital		
58	Lodging/residential	Barracks		
59	Lodging/residential	Hotel	Hotel	
60	Lodging/residential	Hotel	Motel or inn	
61	Lodging/residential	Multifamily Housing		
62	Lodging/residential	Prison/Incarceration		
63	Lodging/residential	Residence Hall/Dormitory		
64	Lodging/residential	Residential Care Facility		
65	Lodging/residential	Senior Care Community		
66	Lodging/residential	Other - Lodging/Residential		
67	Mixed use	Mixed Use Property		4
68	Office	Medical Office		3
69	Office	Office	Admin/professional office	
70	Office	Office	Bank/other financial	
71	Office	Office	Government office	
72	Office	Office	Medical office (diagnostic)	3
73	Office	Office	Other office	

No.	Building Activity Type <sup>1,2</sup>			Notes
	Portfolio Manager Types	Portfolio Manager Sub-Types	Sub-Types: Detailed	
74	Office	Veterinary Office		
75	Office	Other - Office		
76	Public services	Courthouse		
77	Public services	Fire Station		
78	Public services	Library		
79	Public services	Mailing Center/Post Office		
80	Public services	Police Station		
81	Public services	Prison/Incarceration		
82	Public services	Social/Meeting Hall		
83	Public services	Transportation Terminal/Station		
84	Public services	Other - Public Service		
85	Religious worship	Worship Facility		
86	Retail	Automobile Dealership		
87	Retail	Convenience Store with Gas Station		
88	Retail	Convenience Store without Gas Station		
89	Retail	Enclosed Mall		5
90	Retail	Lifestyle Center	Enclosed mall	5
91	Retail	Lifestyle Center	Other retail	
92	Retail	Lifestyle Center	Retail store	
93	Retail	Lifestyle Center		4
94	Retail	Retail Store		
95	Retail	Strip Mall		4
96	Retail	Supermarket/Grocery Store		
97	Retail	Wholesale Club/Supercenter		
98	Retail	Other - Retail/Mall	Enclosed mall	5
99	Retail	Other - Retail/Mall		4
100	Technology/science	Data Center		6
101	Technology/science	Laboratory		
102	Technology/science	Other - Technology/Science	Other service	
103	Services	Personal Services (Health/Beauty, Dry Cleaning, etc.)		
104	Services	Repair Services (Vehicle, Shoe, Locksmith, etc.)	Repair shop	
105	Services	Repair Services (Vehicle, Shoe, Locksmith, etc.)	Vehicle service/repair shop	
106	Services	Repair Services (Vehicle, Shoe, Locksmith, etc.)	Vehicle storage/maintenance	
107	Services	Other - Services		
108	Utility	Energy/Power Station		7
109	Utility	Other - Utility		7
110	Warehouse/storage	Self-Storage Facility		
111	Warehouse/storage	Distribution Center		
112	Warehouse/storage	Nonrefrigerated Warehouse		
113	Warehouse/storage	Refrigerated Warehouse		

Notes: 1. Select the most specific building activity type that applies.

2. For building type definitions see Energy Star portfolio manager definitions except as follows:
  - Data center: Is an activity space designed and equipped to meet the needs of high density computing equipment, such as server racks, used for data storage and processing, including dedicated uninterruptible power supplies and cooling systems and require a constant power load of 75 kW or more. Gross floor area shall only include space within the building including raised floor computing space, server rack aisles, storage silos, control console areas, battery rooms and mechanical rooms for dedicated cooling equipment. Gross floor area shall not include a server closet, telecommunications equipment closet, computer training area, office, elevator, corridors, or other auxiliary space.
  - Urgent care center/clinic/other outpatient office means the buildings used to diagnose and treat patients, usually on an unscheduled, walk-in basis, who have an injury or illness that requires immediate care but is not serious enough to warrant a visit to an emergency department. Includes facilities that provide same-day surgical, diagnostic and preventive care.
3. All medical offices considered to be diagnostic type.
4. Must use of Section 7.2.3 method for mixed use buildings.
5. Suggest considering use of Section 7.2.3 method for mixed use buildings.
6. This is a building or activity without an energy target. Included to provide definition only.
7. This is a building or activity without an energy target. This may be exempt from the standard, see Section Z4.1 2, d.

**Table 7-2a Building Activity Site Energy Targets (EUI<sub>t</sub>1) (I-P Units)**

No.	Building Activity Type <sup>1,2</sup>			Notes	Climate Zone 4C	Climate Zone 5B
	Portfolio Manager Types	Portfolio Manager Sub-Types	Sub-Types: Detailed		EUI <sub>t</sub>	EUI <sub>t</sub>
1	Banking/financial services	Bank Branch			69	71
2	Banking/financial services	Financial Office			69	71
3	Education	Adult Education			49	51
4	Education	College/University			102	102
5	Education	K-12 School	Elementary/middle school		49	50
6	Education	K-12 School	High school		48	49
7	Education	Preschool/Daycare			59	59
8	Education	Vocational School			49	51
9	Education	Other - Education			49	51
10	Entertainment/public assembly	Aquarium			55	59
11	Entertainment/public assembly	Bar/Nightclub			55	59
12	Entertainment/public assembly	Bowling Alley			73	78
13	Entertainment/public assembly	Casino			55	59
14	Entertainment/public assembly	Convention Center			50	52
15	Entertainment/public assembly	Fitness Center/Health Club/Gym			73	78
16	Entertainment/public assembly	Ice/Curling Rink			73	78
17	Entertainment/public assembly	Indoor Arena			67	70
18	Entertainment/public assembly	Movie Theater			67	70
19	Entertainment/public assembly	Museum			67	70
20	Entertainment/public assembly	Performing Arts			55	59
21	Entertainment/public assembly	Race Track			67	70
22	Entertainment/public assembly	Roller Rink			73	78

	Building Activity Type <sup>1,2</sup>				Climate Zone 4C	Climate Zone 5B
No.	Portfolio Manager Types	Portfolio Manager Sub-Types	Sub-Types: Detailed	Notes	EUI <sub>t</sub>	EUI <sub>t</sub>
23	Entertainment/public assembly	Social/Meeting Hall			50	52
24	Entertainment/public assembly	Stadium (Closed)			67	70
25	Entertainment/public assembly	Stadium (Open)			67	70
26	Entertainment/public assembly	Swimming Pool			73	78
27	Entertainment/public assembly	Zoo			55	59
28	Entertainment/public assembly	Other - Entertainment/ Public Assembly	Entertainment/culture		67	70
29	Entertainment/public assembly	Other - Entertainment/ Public Assembly	Library		56	59
30	Entertainment/public assembly	Other - Entertainment/ Public Assembly	Other public assembly		55	59
31	Entertainment/public assembly	Other - Entertainment/ Public Assembly	Recreation		73	78
32	Entertainment/public assembly	Other - Entertainment/ Public Assembly	Social/meeting		50	52
33	Entertainment/public assembly	Other - Recreation			73	78
34	Entertainment/public assembly	Other - Stadium			67	70
35	Food sales and service	Bar/Nightclub			361	378
36	Food sales and service	Convenience Store with Gas Station			244	253
37	Food sales and service	Convenience Store without Gas Station			260	269
38	Food sales and service	Fast Food Restaurant			427	454
39	Food sales and service	Food Sales	Grocery/food market		191	198
40	Food sales and service	Food Sales	Convenience store with gas		260	269
41	Food sales and service	Food Sales	Convenience store		244	253
42	Food sales and service	Food Sales	Other food sales		184	189
43	Food sales and service	Food Service	Fast food		427	454
44	Food sales and service	Food Service	Restaurant/cafeteria		361	378
45	Food sales and service	Food Service	Other food service		293	308
46	Food sales and service	Restaurant			361	378
47	Food sales and service	Supermarket/Grocery Store			191	198
48	Food sales and service	Wholesale Club/ Supercenter			68	75
49	Food sales and service	Other - Restaurant/Bar			361	378
50	Healthcare	Ambulatory Surgical Center			90	96
51	Healthcare	Hospital (General Medical & Surgical)*			215	215
52	Healthcare	Medical Office		3		

No.	Building Activity Type <sup>1,2</sup>			Notes	Climate Zone 4C	Climate Zone 5B
	Portfolio Manager Types	Portfolio Manager Sub-Types	Sub-Types: Detailed		EUI <sub>t</sub>	EUI <sub>t</sub>
53	Healthcare	Outpatient Rehabilitation/Physical Therapy			90	96
54	Healthcare	Residential Care Facility			78	82
55	Healthcare	Senior Care Community			78	82
56	Healthcare	Urgent Care/Clinic/ Other Outpatient			90	96
57	Healthcare	Other - Specialty Hospital			196	196
58	Lodging/residential	Barracks			88	90
59	Lodging/residential	Hotel	Hotel		68	72
60	Lodging/residential	Hotel	Motel or inn		74	77
61	Lodging/residential	Multifamily Housing			32	33
62	Lodging/residential	Prison/Incarceration			101	106
63	Lodging/residential	Residence Hall/ Dormitory			88	90
64	Lodging/residential	Residential Care Facility			78	82
65	Lodging/residential	Senior Care Community			78	82
66	Lodging/residential	Other - Lodging/ Residential			71	74
67	Mixed use	Mixed Use Property		4		
68	Office	Medical Office		3	60	65
69	Office	Office	Admin/professional office		63	66
70	Office	Office	Bank/other financial		69	71
71	Office	Office	Government office		66	69
72	Office	Office	Medical office (diagnostic)	3	60	65
73	Office	Office	Other office		66	68
74	Office	Veterinary Office			90	96
75	Office	Other - Office			66	68
76	Public services	Courthouse			101	106
77	Public services	Fire Station			65	68
78	Public services	Library			56	59
79	Public services	Mailing Center/Post Office			51	54
80	Public services	Police Station			65	68
81	Public services	Prison/Incarceration			101	106
82	Public services	Social/Meeting Hall			50	52
83	Public services	Transportation Terminal/ Station			55	59
84	Public services	Other - Public Service			66	69
85	Religious worship	Worship Facility			39	42
86	Retail	Automobile Dealership			59	66
87	Retail	Convenience Store with Gas Station			260	269

No.	Building Activity Type <sup>1,2</sup>			Notes	Climate Zone 4C	Climate Zone 5B
	Portfolio Manager Types	Portfolio Manager Sub-Types	Sub-Types: Detailed		EUI <sub>t</sub>	EUI <sub>t</sub>
88	Retail	Convenience Store without Gas Station			244	253
89	Retail	Enclosed Mall		5	58	64
90	Retail	Lifestyle Center	Enclosed mall	5	58	64
91	Retail	Lifestyle Center	Other retail		55	62
92	Retail	Lifestyle Center	Retail store		68	75
93	Retail	Lifestyle Center		4		
94	Retail	Retail Store			68	75
95	Retail	Strip Mall		4		
96	Retail	Supermarket/Grocery Store			191	198
97	Retail	Wholesale Club/ Supercenter			68	75
98	Retail	Other - Retail/Mall	Enclosed mall	5	58	64
99	Retail	Other - Retail/Mall		4		
100	Technology/science	Data Center		6		
101	Technology/science	Laboratory			237	249
102	Technology/science	Other - Technology/ Science	Other service		66	69
103	Services	Personal Services (Health/Beauty, Dry Cleaning, etc.)			66	69
104	Services	Repair Services (Vehicle, Shoe, Locksmith, etc.)	Repair shop		36	39
105	Services	Repair Services (Vehicle, Shoe, Locksmith, etc.)	Vehicle service/repair shop		60	64
106	Services	Repair Services (Vehicle, Shoe, Locksmith, etc.)	Vehicle storage/maintenance		41	44
107	Services	Other - Services			66	69
108	Utility	Energy/Power Station		7		
109	Utility	Other - Utility		7		
110	Warehouse/storage	Self-Storage Facility			36	44
111	Warehouse/storage	Distribution Center			36	44
112	Warehouse/storage	Nonrefrigerated Warehouse			36	44
113	Warehouse/storage	Refrigerated Warehouse			121	126

- Notes:
1. Select the most specific building activity type that applies.
  2. For building type definitions see Energy Star portfolio manager definitions except as follows:
    - Data center: Is an activity space designed and equipped to meet the needs of high density computing equipment, such as server racks, used for data storage and processing, including dedicated uninterruptible power supplies and cooling systems and require a constant power load of 75 kW or more. Gross floor area shall only include space within the building including raised floor computing space, server rack aisles, storage silos, control console areas, battery rooms and mechanical rooms for dedicated cooling equipment. Gross floor area shall not include a server closet, telecommunications equipment closet, computer training area, office, elevator, corridors, or other auxiliary space.
    - Urgent care center/clinic/other outpatient office means the buildings used to diagnose and treat patients, usually on an unscheduled, walk-in basis, who have an injury or illness that requires immediate care but is not serious enough to warrant a visit to an emergency department. Includes facilities that provide same-day surgical, diagnostic and preventive care.
  3. All medical offices considered to be diagnostic type.
  4. Must use of Section 7.2.3 method for mixed use buildings.
  5. Suggest considering use of Section 7.2.3 method for mixed use buildings.
  6. This is a building or activity without an energy target. Included to provide definition only.

7. This is a building or activity without an energy target. This may be exempt from the standard, see Section Z4.1 2, d.

**Table 7-3 Building Operating Shifts Normalization Factor**

No.	Building Activity Type <sup>1,2</sup>			Notes	Weekly Hours <sup>1,2</sup>		
	Portfolio Manager Types	Portfolio Manager Sub-Types	Sub-Types: Detailed		50 or less	51 to 167	168
1	Banking/financial services	Bank Branch		3	0.8	1.0	1.5
2	Banking/financial services	Financial Office		3	0.8	1.0	1.5
3	Education	Adult Education		4	0.9	1.1	1.9
4	Education	College/University		4	0.9	1.1	1.9
5	Education	K-12 School	Elementary/middle school	4	0.9	1.1	1.9
6	Education	K-12 School	High school	4	0.9	1.1	1.9
7	Education	Preschool/Daycare		4	0.9	1.1	1.9
8	Education	Vocational School		4	0.9	1.1	1.9
9	Education	Other - Education		4	0.9	1.1	1.9
10	Entertainment/public assembly	Aquarium		4	0.6	1.1	1.6
11	Entertainment/public assembly	Bar/Nightclub		4	0.6	1.1	1.6
12	Entertainment/public assembly	Bowling Alley		4	0.6	1.1	1.6
13	Entertainment/public assembly	Casino		4	0.6	1.1	1.6
14	Entertainment/public assembly	Convention Center		4	0.6	1.1	1.6
15	Entertainment/public assembly	Fitness Center/Health Club/Gym		4	0.6	1.1	1.6
16	Entertainment/public assembly	Ice/Curling Rink		4	0.6	1.1	1.6
17	Entertainment/public assembly	Indoor Arena		4	0.6	1.1	1.6
18	Entertainment/public assembly	Movie Theater		4	0.6	1.1	1.6
19	Entertainment/public assembly	Museum		4	0.6	1.1	1.6
20	Entertainment/public assembly	Performing Arts		4	0.6	1.1	1.6
21	Entertainment/public assembly	Race Track		4	0.6	1.1	1.6
22	Entertainment/public assembly	Roller Rink		4	0.6	1.1	1.6
23	Entertainment/public assembly	Social/Meeting Hall		4	0.6	1.1	1.6
24	Entertainment/public assembly	Stadium (Closed)		4	0.6	1.1	1.6
25	Entertainment/public assembly	Stadium (Open)		4	0.6	1.1	1.6
26	Entertainment/public assembly	Swimming Pool		4	0.6	1.1	1.6
27	Entertainment/public assembly	Zoo		4	0.6	1.1	1.6

No.	Building Activity Type <sup>1,2</sup>			Notes	Weekly Hours <sup>1,2</sup>		
	Portfolio Manager Types	Portfolio Manager Sub-Types	Sub-Types: Detailed		50 or less	51 to 167	168
28	Entertainment/public assembly	Other - Entertainment/Public Assembly	Entertainment/culture	4	0.6	1.1	1.6
29	Entertainment/public assembly	Other - Entertainment/Public Assembly	Library	4	0.6	1.1	1.6
30	Entertainment/public assembly	Other - Entertainment/Public Assembly	Other public assembly	4	0.6	1.1	1.6
31	Entertainment/public assembly	Other - Entertainment/Public Assembly	Recreation	4	0.6	1.1	1.6
32	Entertainment/public assembly	Other - Entertainment/Public Assembly	Social/meeting	4	0.6	1.1	1.6
33	Entertainment/public assembly	Other - Recreation		4	0.6	1.1	1.6
34	Entertainment/public assembly	Other - Stadium		4	0.6	1.1	1.6
35	Food sales and service	Bar/Nightclub		4	0.6	1.1	1.5
36	Food sales and service	Convenience Store with Gas Station		4	0.5	0.9	1.3
37	Food sales and service	Convenience Store without Gas Station		4	0.5	0.9	1.3
38	Food sales and service	Fast Food Restaurant		4	0.6	1.1	1.5
39	Food sales and service	Food Sales	Grocery/food market	4	0.5	0.9	1.3
40	Food sales and service	Food Sales	Convenience store with gas	4	0.5	0.9	1.3
41	Food sales and service	Food Sales	Convenience store	4	0.5	0.9	1.3
42	Food sales and service	Food Sales	Other food sales	4	0.5	0.9	1.3
43	Food sales and service	Food Service	Fast food	4	0.6	1.1	1.5
44	Food sales and service	Food Service	Restaurant/cafeteria	4	0.6	1.1	1.5
45	Food sales and service	Food Service	Other food service	4	0.6	1.1	1.5
46	Food sales and service	Restaurant		4	0.6	1.1	1.5
47	Food sales and service	Supermarket/Grocery Store		4	0.5	0.9	1.3
48	Food sales and service	Wholesale Club/Supercenter		4	0.6	1.0	1.5
49	Food sales and service	Other - Restaurant/Bar		4	0.6	1.1	1.5
50	Healthcare	Ambulatory Surgical Center		4,7	0.8	1.1	1.3
51	Healthcare	Hospital (General Medical & Surgical)*			1.0	1.0	1.0
52	Healthcare	Medical Office		4,7	0.8	1.0	1.5
53	Healthcare	Outpatient Rehabilitation/Physical Therapy		4,7	0.8	1.1	1.3
54	Healthcare	Residential Care Facility			1.0	1.0	1.0
55	Healthcare	Senior Care Community			1.0	1.0	1.0
56	Healthcare	Urgent Care/Clinic/Other Outpatient		4,7	0.8	1.1	1.3
57	Healthcare	Other - Specialty Hospital			1.0	1.0	1.0

No.	Building Activity Type <sup>1,2</sup>			Notes	Weekly Hours <sup>1,2</sup>		
	Portfolio Manager Types	Portfolio Manager Sub-Types	Sub-Types: Detailed		50 or less	51 to 167	168
58	Lodging/residential	Barracks			1.0	1.0	1.0
59	Lodging/residential	Hotel	Hotel		1.0	1.0	1.0
60	Lodging/residential	Hotel	Motel or inn		1.0	1.0	1.0
61	Lodging/residential	Multifamily Housing			1.0	1.0	1.0
62	Lodging/residential	Prison/Incarceration			1.0	1.0	1.0
63	Lodging/residential	Residence Hall/ Dormitory			1.0	1.0	1.0
64	Lodging/residential	Residential Care Facility			1.0	1.0	1.0
65	Lodging/residential	Senior Care Community			1.0	1.0	1.0
66	Lodging/residential	Other - Lodging/ Residential			1.0	1.0	1.0
67	Mixed use	Mixed Use Property		6			
68	Office	Medical Office		4,7	0.8	1.1	1.3
69	Office	Office	Admin/professional office	3	0.8	1.0	1.5
70	Office	Office	Bank/other financial	3	0.8	1.0	1.5
71	Office	Office	Government office	3	0.8	1.0	1.5
72	Office	Office	Medical office (diagnostic)	4	0.8	1.1	1.3
73	Office	Office	Other office	3	0.8	1.0	1.5
74	Office	Veterinary Office		3	0.8	1.1	1.3
75	Office	Other - Office		3	0.8	1.0	1.5
76	Public services	Courthouse		4	0.8	0.8	1.1
77	Public services	Fire Station		3	0.8	0.8	1.1
78	Public services	Library		4	0.6	1.1	1.6
79	Public services	Mailing Center/Post Office		3	0.8	1.2	1.3
80	Public services	Police Station		3	0.8	0.8	1.1
81	Public services	Prison/Incarceration			1.0	1.0	1.0
82	Public services	Social/Meeting Hall		4	0.6	1.1	1.6
83	Public services	Transportation Terminal/Station		4	0.6	1.1	1.6
84	Public services	Other - Public Service		4	0.8	1.2	1.3
85	Religious worship	Worship Facility		5	0.9	1.7	1.7
86	Retail	Automobile Dealership		4	0.6	1.0	1.5
87	Retail	Convenience Store with Gas Station		4	0.5	0.9	1.3
88	Retail	Convenience Store without Gas Station		4	0.5	0.9	1.3
89	Retail	Enclosed Mall		4	0.6	1.0	1.5
90	Retail	Lifestyle Center	Enclosed mall	4	0.6	1.0	1.5
91	Retail	Lifestyle Center	Other retail	4	0.6	1.0	1.5
92	Retail	Lifestyle Center	Retail store	4	0.6	1.0	1.5
93	Retail	Lifestyle Center					
94	Retail	Retail Store		4	0.6	1.0	1.5

No.	Building Activity Type <sup>1,2</sup>			Notes	Weekly Hours <sup>1,2</sup>		
	Portfolio Manager Types	Portfolio Manager Sub-Types	Sub-Types: Detailed		50 or less	51 to 167	168
95	Retail	Strip Mall					
96	Retail	Supermarket/Grocery Store		4	0.5	0.9	1.3
97	Retail	Wholesale Club/ Supercenter		4	0.6	1.0	1.5
98	Retail	Other - Retail/Mall	Enclosed mall	4	0.6	1.0	1.5
99	Retail	Other - Retail/Mall					
100	Technology/science	Data Center					
101	Technology/science	Laboratory		3	1.0	1.0	1.0
102	Technology/science	Other - Technology/ Science	Other service	3	0.8	1.2	1.3
103	Services	Personal Services (Health/Beauty, Dry Cleaning, etc.)		4	0.8	1.2	1.3
104	Services	Repair Services (Vehicle, Shoe, Locksmith, etc.)	Repair shop	4	0.8	1.2	1.3
105	Services	Repair Services (Vehicle, Shoe, Locksmith, etc.)	Vehicle service/repair shop	4	0.8	1.2	1.3
106	Services	Repair Services (Vehicle, Shoe, Locksmith, etc.)	Vehicle storage/maintenance	4	0.8	1.2	1.3
107	Services	Other - Services		4	0.8	1.2	1.3
108	Utility	Energy/Power Station					
109	Utility	Other - Utility					
110	Warehouse/storage	Self-Storage Facility		4	0.8	1.0	1.4
111	Warehouse/storage	Distribution Center		3	0.8	1.0	1.4
112	Warehouse/storage	Nonrefrigerated Warehouse		3	0.8	1.0	1.4
113	Warehouse/storage	Refrigerated Warehouse		3,8	1.0	1.0	1.4

- Notes:
1. Do not count the hours when the property is occupied only by maintenance, security, the cleaning crew, or other support personnel. Do not count the hours when the property is occupied only by maintenance staff.
  2. Working hours are based on the average use over the ~~((twelve month))~~ 12-month period selected to document energy use in form C.
  3. The weekly hours are the total number of hours per week where the majority of workers are present. If there are two or more shifts of workers, add the hours. When developing targets using Section 7.2.3 for mixed use buildings, use the hours each separate activity, the hours per week the majority of workers are present.
  4. The weekly hours are the hours that be majority of the building is open to serve the public. When developing targets using Section 7.2.3 for mixed use buildings, the hours each separate activity is open to the public.
  5. The weekly hours the facility is open for operation, which may include worship services, choir practice, administrative use, committee meetings, classes, or other activities.
  6. Must use of Section 7.2.3 method for mixed use buildings.
  7. Health care buildings may use other weekly hours if they are required to operate building systems additional hours to protect patient and staff safety. Provide documentation of the requirement in the energy management plan.
  8. Refrigerated warehouse greater than 167 hours assumes the workers on shift are loading and/or unloading vehicles.

[Statutory Authority: RCW 19.27A.210. WSR 20-22-059, § 194-50-150, filed 10/30/20, effective 11/30/20.]