

**BEPS Task Force Meeting Notes**  
**April 13, 2021**

**Task Force Member Attendees:** Katie Bergfeld, Patti Boyd, Jen Croft, Marshall Duer-Balkind, Wendell Felder, Dave Good, Reshma Holla, Jessica Jones, Cliff Majersik, Todd Nedwick, Matt Praske, Joe Reilly

**Public Attendees:** Andrew Held, Sharon Jaye, Molly Hofsommer, Michael Feldman-Wiencek, Katherine Johnson, Cet Caldwell, Kevin Carey, Michele Good, Nathan Jeffay, Joe Knackstedt, Chris Pendley, Scott Emery, Aykut Yilmaz, Brian Snyder, Mikel Solupe, Dave Epley, Donald Walker, Taresa Lawrence, James Ball, Tommy Wells, Eric Yang, Amanda Clevinger, Kehan Desousa

*The notes reflect the discussion only – please see the referenced slide for content presented.*

**Meeting Agenda**

1. Administrative (slides 1-5)
  - a. Opened meeting at 2:33pm
  - b. Attendance taken by roll call (see above); Quorum acknowledged
  - c. Reviewed role of TF and today's agenda
2. Retro-commissioning (RCx) in the Prescriptive Pathway – Part 1 (slides 6-8)
  - a. Update from Subcommittee
  - b. Reviewed draft RCx process
    - i. Question about point value and limits on Prescriptive. DOEE: if building owner sees more possibilities in % savings possible, they could change pathways to performance
    - ii. Question on streamlining commissioning/energy audit/RCX processes – RCX and energy audit could be paired – DOEE: subcommittee discussed this and encouraged it. Considering using an online template form for both energy audit and RCx inputs.
    - iii. Is there a retro-commissioning standard that could be referenced for the assessment? ASHRAE 1.2 and several others. Used a RCx policy comparison by PNNL (with several PNNL staff on the sub-committee) to tweak it for DC purposes
  - c. Draft list of credentials
    - i. Suggestion to list “DC or any US state” in the language for the qualifying credentials
  - d. Final recommendations from sub-committee will be on April 27 agenda.
2. Indoor Environmental Quality (IEQ)
  - a. Slide 9: discussed current language on IEQ in rules and public comment suggesting strengthening it.
  - b. Slide 10: Suggestion on using Energy Star data verification process to verify IEQ standards?

- c. Slide 11: DOEE's thoughts – one caveat, all suggestions or discussion today have to be taken back to the lawyers to see what's possible within the legislation and DOEE authority.
  - d. Discussion:
    - i. If some buildings have never complied with 62.1, then BEPS probably can't require them to bring it up to code. Agreed it's not in DOEE's wheelhouse
    - ii. Maybe put additional guidance in guidebook, don't endorse bad behavior, but don't add to rules. BEPS is not a health and safety code program. Tenants could sue landlords in these situations. DOEE doesn't have the enforcement capability because of the legislative language.
    - iii. Building code requires minimum health and safety requirements. Maybe code is the best place to keep it. DOEE is in a passive state and not an active role to verify the information. Grandfathering is an issue to state a standard for all buildings.
    - iv. Several energy service providers have found some bad IEQ situations in Energy Star certification walk-throughs. Is the language strong enough to catch the bad actors? Risks are real for tenants; it does happen in the industry. Maybe requiring having a verifier double-check the work is a good thing.
    - v. Current Language suggestions:
      - 1. Existing language is specific to "compliance" measure which might create issues
      - 2. "A building owner shall not implement a compliance measure, reduce ventilation, or take other measures that pose a threat to the health and safety of a building occupant"
      - 3. Some liked a suggestion that if a bad situation is found, then the full penalty is enforced. Perhaps add "...measures would have to be corrected and BEPs penalties reassessed."
    - vi. Final thoughts: DOEE will look into adjusting the rules language and write up a couple of paragraphs for the guidebook that explain the rule language in more detail.
3. Announcements
- a. None
4. Closed meeting at 3:32pm