WAC 194-50-160 Normative Annex Y—Washington state Tier 2 covered buildings reporting requirements—This is a normative annex and is part of the Tier 2 covered building requirements of this standard.

Y1 Building owner notifications by the AHJ.

Y1.1 Notification to building owners of covered 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 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 building* and *multifamily residential buildings* greater than 20,000 square feet in floor area.

Y1.1.1 The database will contain information about *buildings* that may be subject to compliance and their owners. 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.

Y1.2 By July 1, 2025, the *AHJ* must provide the owners of *covered buildings* with notification of compliance requirements.

Y1.3 Failure by the *AHJ* to provide the notification in Section Y1.2 does not release the *building owner* of the legal obligation to comply with this law. When a *covered building* undergoes a change of ownership, it is the buyer's responsibility to contact the *AHJ* and update the *covered building's* profile.

Y2 Building owner response to notifications.

Y2.1 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*.

Y2.1.1 Correction of errors documentation. *Building owners* who are notified in error may submit a correction to the *AHJ*. The correction will be used to document *gross floor area* (conditioned and unconditioned) and/or *building* type.

Y3 Washington state reporting requirements for building owners.

Y3.1 General compliance. The *building owner* of a *Tier 2 covered building* must report compliance with the standard to the *AHJ* in accordance with the compliance schedule established under Section Y3.2 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* (*WNEUI*) of the *Tier 2 covered building* measured in a period not to exceed two years prior to the compliance date specified in Section Y3.2 Compliance schedule compared to the *energy use intensity target;* and has developed and is maintaining an energy management plan (EMP) in accordance with Section 5, including an operations and maintenance (O&M) program in accordance with Section 6; or

2. The *covered building* has received a *Tier 2 covered building* extension in accordance with Exceptions to Section Y3.2: Extension; or

3. The *covered building* is exempt from the standard by demonstrating that the *building* meets one of the criteria for an exemption.

Y3.2 Compliance schedule. The *building owner* of a *Tier 2 covered building* must report the *building owner*'s compliance with the standard to the *AHJ* in accordance with the appropriate initial compliance date as follows and every five years thereafter.

1. **Compliance date.** For a *building* with more than 20,000 gross square feet but less than 50,001 gross square feet and all *multifamily residential buildings* more than 20,000 gross square feet: July 1, 2027.

2. **Graduated group compliance date.** *Covered buildings* complying at a *grouped building* level shall use the compliance schedule representing the earliest applicable *covered building* compliance date, or the compliance schedule can be graduated through the *conditional compliance* provisions of the standard in accordance with individual *covered buildings* size cohort compliance schedules of Sections Z3.2, Y3.2, and W3.2. Notify the *AHJ* a minimum of 180 days prior to the *covered building's* earliest compliance date when complying at a *grouped building* level to update the *covered building* profile(s) and when applicable, to apply for *conditional compliance* in accordance with Section Z4.4 or Z4.5.

Exceptions to Y3.2: Extension. *Covered buildings* are eligible for a two-year compliance date extension if the *building owner* or its authorized representative submits an extension application to the *AHJ*, no sooner than six months prior to and up to six months after the applicable compliance date. The application to request an extension must include documentation supporting the reason for the extension, and meet at least one of the following criteria:

1. **Beyond control.** *Building owner* experiences conditions beyond their control, the effects of which could not have been avoided by exercising reasonable diligence, which substantially interfere with compliance efforts or schedule, including:

a. Natural disasters declared by appropriate governmental officials;

b. Goods and services shortages causing delays.

2. **Change of ownership.** *Building owner* purchases *building* in an arm's length transaction, with a date of purchase within 12 months prior to or on the exact compliance date.

3. **Financial restrictions.** *Building owner* has financial restrictions requiring additional time to demonstrate full compliance.

Financial hardship in accordance with Annex Y, Section Y4.1 (2)(g), affecting cash flow.

4. **New construction.** *Building owner* has active or recent construction with a valid building/demolition permit limiting the ability to obtain 12 consecutive months of measured energy use prior to the *building* compliance date. New construction includes addition, remodel, or demolition modifying at least 10 percent of the square footage and affecting conditions of compliance which require additional time to demonstrate full compliance.

5. **EMP and O&M.** *Building owner* complies with the requirements of the standard for *benchmarking* (Section 5.2 Building energy monitoring, and Section 7.2.1 Determining energy use intensity target (EUI_t)) can receive an extension to comply with the EMP and O&M program requirements (Section 4.2 Energy management plan and operations and maintenance program). Where energy use is not monitored at the *covered*

building level, *benchmarking* shall be performed at the *connected building* level.

An extension granted pursuant to this subsection is valid for two years beyond the *covered building's* compliance date. Upon expiration of the two-year extension, *building owner* must submit an application to the *AHJ*, for an exemption or to demonstrate compliance, or they will be subject to potential penalties.

Y3.2.1 Early compliance option. *Building owners* may submit for compliance to the *AHJ* beginning July 1, 2025. Energy use data for developing the net energy consumption of the *covered building* shall be measured in a period not to exceed two years prior to the submission of compliance documentation. This section expires June 1, 2027.

Y3.2.2 Application for Tier 2 covered building conditional compliance. (RESCINDED) See Exceptions to Y3.2 Extension 5. EMP and O&M.

Y3.2.3 Application for exemption. *Building owners* submitting an application for exemption as specified in Section Y4.1 must submit to the *AHJ* no sooner than two years prior and no later than 180 days prior to the compliance date to receive exemption approval prior to the compliance date.

Y4 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 Y4.1, Y4.2 or Y4.3.

Y4.1 Documentation of compliance through exemption. *Building owners* seeking approval of exemption shall submit to the *AHJ* Section Y6.7 Form H, "Application for Exemption Certificate," documenting the following:

1. **Exemption conditions.** Exemptions are applied at the building-level. Exemptions shall not be applied at the *grouped building* level. The *building* qualifies for one of the exemptions listed in Y4.1(2), and:

a. **Exemption verification.** 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. **Exemption application time frame.** Applications for exemptions may be submitted no sooner than two years prior to the compliance date and submitted to the *AHJ* no later than 180 days prior to the compliance date.

c. **Exemption certificate validity.** Exemptions certificates are only valid for the current compliance review cycle.

2. **Exemptions.** *Covered buildings* are not eligible for exemption from the standards unless they meet one or a combination of multiple exemptions (a through d) affecting more than 50 percent of the *building* square footage, of the following criteria:

a. **Certificate of occupancy.** The *building* did not have a certificate of occupancy or temporary certificate of occupancy for a consecutive 12-month period within two years prior to the compliance date.

b. **Physical occupancy.** The *building* did not have *physical occupancy* by owner or tenant for at least 50 percent of the conditioned floor area throughout the consecutive 12-month period prior to the *building* compliance date.

If using the *physical occupancy* exemption in combination with other exemptions, the portion of the conditioned floor area without *physical occupancy* (unoccupied, not leased, or otherwise vacant) com-

bined with the floor area of other exempt spaces must be more than 50 percent of the *building's* square footage.

c. **Unconditioned and semi-heated space.** The sum of the *building's gross floor area* minus unconditioned and *semi-heated spaces*, as defined in the Washington State Energy Code, is less than 20,000 square feet.

d. **Manufacturing or industrial.** More than 50 percent of the *gross floor area* of the *building* is 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.

Include within the manufacturing or industrial primary use floor area, the spaces with nonexempt occupancy classifications that are within the *building* and are directly supporting the manufacturing or industrial space use. Do not include within the primary use floor area tenant spaces that are not associated with the primary manufacturing or industrial use of the *building*.

If using the manufacturing or industrial exemption in combination with other exemptions, the portion of the manufacturing or industrial use combined with the floor area of other exempt spaces must be more than 50 percent of the *building's* square footage.

e. **Agricultural.** The *building* is an *agricultural structure*.

f. **Demolition.** The *building* is pending demolition.

g. **Financial hardship.** The *building* meets at least one of the following conditions of financial hardship:

i. **Taxes or charges.** 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 or county's annual tax lien sale list.

ii. **Receivership.** The *building* has a court-appointed receiver in control of the asset due to financial distress.

iii. **Foreclosure.** The *building* is owned by a financial institution through default by a borrower.

iv. **Conveyance in lieu of foreclosure.** The *building* has been acquired by a deed in lieu of foreclosure within the previous 24 months.

v. **Senior mortgage default.** The *building* has a senior mortgage subject to a notice of default.

vi. **K-12 school.** The *building* is a K-12 school *building* in a school district or a private school that has financial hardships related to capital construction or improvements including, but not limited to, a failed bond and/or levy, limited school district debt capacity, and/or the *building* is actively correcting a violation of state board of health rules.

vii. **Hospital.** The *building* is a public hospital in a *public hospital district* that lacks the debt capacity to cover the cost of compliance.

viii. **Heavy and immediate financial need.** The *building owner* has an immediate and heavy financial need caused by events that are beyond their control, lacks the debt capacity to cover the cost of compliance, and has exhausted all other reasonable available resources.

h. **National security.** *Buildings* for which meeting the standard would impair national security interests, when all or a portion of the *building* has the primary purpose of providing products or services to a federal agency that is considered "classified" under Executive Order No. 12356, or as directed by the *AHJ*.

3. **Notification of exemption approved or denied.** 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*.

i. **Requesting hearing for denied exemption.** See Section Y5.7 Administrative hearings.

4. **Compliance required when exemption denied.** 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* in Section Y4.2 Documentation of compliance for Tier 2 covered buildings or Exceptions to Y3.2: Extension.

Y4.2 Documentation of compliance for Tier 2 covered buildings. *Building owners* must provide the following documentation to verify that the *building WNEUI* is compared to the *building* EUI_t and that the energy management plan (EMP), including the operations and maintenance (O&M) program is complete and being implemented.

1. Energy management plan (EMP);
2. EMP reporting tool;
3. Operations and maintenance (O&M) program;
4. O&M reporting tool;
5. Form A - Summary compliance with Standard 100 (or Form J - Summary for *grouped buildings*);
6. Form B - Building activity and energy use intensity target (EUI_t), except *buildings* unable to meet Section 7.2 Determining energy target (EUI_t);
7. Form C - Energy Star portfolio manager energy use intensity calculations, except *buildings* unable to meet Section 5.2 Building energy monitoring.

Y4.3 Buildings approved for Tier 2 covered building conditional compliance.

See Exceptions to Y3.2: Extension.

Y5. Violations, assessment of administrative penalties and review of penalty decisions.

Y5.1 Authorization. The *AHJ* is authorized to impose administrative penalties on *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 penalties by legal notice.

Y5.2 Notice of violation, opportunity to correct, and intent to assess penalties (NOVCI).

Y5.2.1 Notifying owner of failure to demonstrate compliance. The *AHJ* may issue a NOVCI when a *building owner* has failed to submit documentation that demonstrates compliance with this standard by the scheduled reporting date.

Y5.2.2 Issuing NOVCI. A NOVCI may be issued for failure to meet the requirement of the standard 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 provide accurate reporting consistent with the requirements of the standard.

3. Failure to provide a valid exemption certificate.

4. Failure to receive extension approval.

Y5.2.3 Identifying failure to demonstrate compliance. The *AHJ* will identify in the NOVCI the section(s) of law, code, or the standard for which the *building owner* has failed to demonstrate compliance.

Y5.2.4 Specifying time frame to remedy. The NOVCI 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 30 calendar days to submit such documentation.

Y5.3 Response to NOVCI.

Y5.3.1 Responding to NOVCI. *Building owners* must respond to a NOVCI within 30 days by meeting one of the following:

1. **Compliance:** Submitting a compliance report in the form and manner prescribed by the *AHJ*;

2. **Extension:** Submitting an application for extension in accordance with Section Y3.2 Compliance schedule, if applicable;

3. **Exemption:** Submitting an application for exemption in accordance with Section Y4.1 Documentation of compliance through exemption, if applicable;

4. **Pay penalties:** Submitting their intent to pay the penalties by using the form provided by the *AHJ*; or

5. **Request hearing:** Submitting a request for an administrative hearing to challenge or mitigate the penalty in accordance with Section Y5.7 Administrative hearings.

Y5.3.2 Missing NOVCI response deadline. If the *building owner* does not respond within 30 days in accordance with Section Y5.3.1 Responding to the NOVCI, the *building owner* waives their right to a hearing, and the *director* or their designee may issue a final order assessing the penalties described in the NOVCI.

Y5.4 Assessment of administrative penalties.

Y5.4.1 Penalties for building owners. Failure to submit documentation demonstrating compliance with the standard by the date specified in a NOVCI will result in the assessment of administrative penalties at an amount not to exceed $0.30 per square foot of *gross floor area*.

Penalties may not be passed along to tenants, per RCW 19.27A.210 and 19.27A.250 so long as tenants are providing access to utility usage data, access to physical spaces in the *buildings*, and being responsive to the compliance needs from *building owners* to facilitate compliance with the standard. The inability for tenants and *building owners* to find a mutually agreeable time is not being unresponsive. *Building owners* seeking relief through an exemption or exception must provide documentation of how the tenant is being unresponsive.

Y5.4.1.1 Penalties for building owners pursuing relief. For *building owners* subject to a NOVCI who respond within 30 days:

1. **With documentation demonstrating compliance or successful challenges.** For *building owners* that submit documentation demonstrating compliance or are successful in their challenges:

a. Fines shall be waived.

b. *Building owners* may be eligible to apply for early adopter incentive program.

2. **Without compliance documentation or unsuccessful challenges.** For *building owners* that have not submitted documentation demonstrating compliance by the required date specified in the NOVCI or have an unsuccessful challenge:

a. The Tier 2 *building owner* will be assessed the maximum penalty of amount equal to $0.30 per square foot of *gross floor area*.

b. *Building owners* may not be eligible to apply for early adopter incentive program.

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

Y5.4.1.2 Building owners that choose to pay the fine rather than pursuing compliance. *Building owners* may choose to respond to the NOVCI by paying the maximum penalty.

1. The Tier 2 *building owner* will be assessed the maximum penalty of $0.30 per square foot of *gross floor area.*

2. *Building owners* may not be eligible to apply for early adopter incentive program.

3. Penalties are assessed for each compliance period.

Y5.4.2 Interest. Interest will accrue on civil penalties pursuant to RCW 43.17.240 if and when the debt becomes past due.

Y5.5 Due date and collection of penalties.

Y5.5.1 Penalties due. 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.

Y5.5.2 Debt collection. 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.

Y5.6 Payment of administrative penalties. Penalties will be payable in U.S. funds to the Washington state department of commerce, as specified by the *AHJ*.

Y5.7 Administrative hearings.

Y5.7.1 Requesting a hearing. A *building owner* may request an administrative hearing after receiving a NOVCI by submitting a request within 30 days of the date of a NOVCI. All requests must be made in writing and filed at the address specified on the NOVCI. For convenience, the *AHJ* will attach a form titled "Request for Hearing" to the NOVCI that may be used to request an administrative hearing. Requests for hearing must be accompanied by the following:

1. Washington state *building* ID;

2. Submitted Annex Y Forms A, B, and C.

Y5.7.2 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.

Y5.7.3 Initial orders to become final orders. Initial orders issued by the presiding officer will become final without further agency action unless, within 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.

Y5.7.4 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.

Y5.7.5 Collected penalties. Administrative penalties collected under this section must be deposited into the low-income weatherization and structural rehabilitation assistance account created in RCW 70A.35.030 and reinvested into the clean buildings program, where feasible, to support compliance with the standard.

Y6 Compliance forms. The following sections replace Standard 100, Normative Annex C, "Reporting Forms," 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*.

Y6.1 Compliance with Standard 100 (Form A).

Note: For *grouped buildings*, use Grouped Buildings Compliance with Standard 100 (Form J), instead of Form A.

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;
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* (if applicable):
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):
i. Licensure; or
ii. Certifying authority.
4. *Qualified energy manager* (if not the *qualified person*):
a. *Qualified 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;
j. *Qualified energy manager* certification number.
5. *Energy manager* (if different than the *qualified person or qualified energy manager*):
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.
6. This compliance report is for:
a. *Tier 2 covered buildings*.
7. Summary data:
a. ***EUI_t***. *Energy use intensity target* (EUI_t) (kBtu/ft^2/yr) based on Section Y6.2 Form B;

Note: *Building* without an *energy target* unable to develop EUI_t in accordance with Section 7.2.2 or 7.2.3 shall report:
• National median site *EUI* (kBtu/ft^2) as calculated by the Energy Star portfolio manager account on Form C.

b. **EUI.** Measured site *energy use intensity* (*EUI*) (kBtu/ft^2) for the *building's* compliance year based on Section Y6.3 Form C;

Note: *Buildings* unable to comply with Section 5.2 Building energy monitoring, and complete Section Y6.3 Form C, shall report:
• Reason statement why *EUI* cannot be measured.

c. **WNEUI.** Measured *weather normalized* site *energy use intensity* (*WNEUI*) (kBtu/ft^2) for the *building's* compliance year based on Section Y6.3 Form C;
d. **Date range.** List the months/year of the collected data (mm/yyyy - mm/yyyy) for the *building's* compliance year from Section Y6.3 Form C.
8. Have the energy management requirements of Section 5 been met? [ ] Yes [ ] No
• Upload energy management plan as specified by the *AHJ*.
9. Have the operation and maintenance requirements of Section 6 been met? [ ] Yes [ ] No
• Upload operation and maintenance implementation documentation as specified by the *AHJ*.

10. Date the audit and economic evaluation was completed (N/A if none required)

• Upload audit reports as specified by Section Y6.4 Form D.

11. We state that this *building* complies with ANSI/ASHRAE/IES Standard 100 as amended by the *AHJ* to conform with RCW 19.27A.210:

a. Signature of *building owner*:

• Date:

b. Signature of *qualified energy manager* or *qualified person*:

• Date:

c. Signature of *energy manager*:

• Date:

d. Signature of *authority having jurisdiction*:

• Conditional or final compliance:

• Date:

Y6.2 Building activity and energy use intensity target (EUI_t) (Form B). Complete form provided by the *AHJ* with the following information:

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;

k Postal code.

2. List the *building* location climate zone, 4C or 5B. Determine the climate zone using the ASHRAE climate zone map located in Informative Annex G.

a. *Buildings* located in Climate Zone 5C shall use Climate Zone 4C.

b. *Buildings* located in Climate Zone 6B shall use Climate Zone 5B.

3. The *gross floor area* in square feet shall be reported as defined in Section 3.

a. *Buildings* unable to comply with Section 5.2, Building energy monitoring, at the *covered building* level and complying at the *connected buildings* level, shall use a group application to calculate the EUI_t for all *buildings* in the group.

4. If entire *building* is a *nontarget building*, a single building activity type not listed in Table 7-1, it should be listed as "*building* without target" on Section Y6.1 Form A. List "energy target" as "N/A" on Section Y6.2 Form B, and Section Y6.2 Form B is considered complete.

5. Fill in fraction of *gross floor area* $(A)_i$ for each activity. For single-activity *buildings* this is 1.0.

6. Fill in the operating shifts normalization factor $(S)_i$ from Table 7-3 for each activity.

7. Fill in the activity energy target $(EUI_{t1})_i$ from Table 7-2 (or table from *AHJ*) for each activity.

8. Calculate weighted space *EUI* target $(A \times S \times EUI_{t1})_i$ for each activity.

9. Add up fraction of floor area and enter sum in "Total fraction of floor area with target," and add up all weighted space *energy use intensity targets* (EUI_t) and enter sum as the "*EUI*" on Sections Y6.2 and Y6.1 Forms B and A.

10. If more than 50 percent of *gross floor area* has no target, it should be listed as "*building* without target" on Section Y6.1 Form A. List "energy target" as "N/A" on Section Y6.2 Form B. For single-activity *buildings* this is 1.0.

Y6.3 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). The *energy manager* is responsible for creating Energy Star portfolio manager record for each *building*.

Exception to Y6.3: *Buildings* unable to comply with Section 5.2, building energy monitoring shall monitor *building* energy at the *covered building* level and shall report benchmarking at the *connected buildings* level.

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 Y4, and annually as required in Section 5.1.2.3.

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 Y4, 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.

Report fields shall include the following:

- 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^2);
- Property GFA - EPA calculated (*buildings* and parking) (ft^2);
- Property GFA - EPA calculated (*buildings*)(ft^2);
- Property GFA - EPA calculated (parking)(ft^2);
- Largest property use type;
- Largest property use type - *Gross floor area* (ft^2);
- 2nd Largest property use type;

- 2nd Largest property use - *Gross floor area* (ft^2);
- 3rd Largest property use type;
- 3rd Largest property use type - *Gross floor area* (ft^2);
- 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^2;
- 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 65 days;
- Estimated values - Energy;
- Energy Star score;
- National median *site energy* use (kBtu);
- *Site energy* use (kBtu);
- Site *EUI* ($kBtu/ft^2$);
- *Weather normalized site energy* use (kBtu);

• *Weather normalized* site *EUI* (kBtu/ft^2);
• *Weather normalized* site electricity (kWh);
• *Weather normalized* site electricity intensity (kWh/ft^2);
• *Weather normalized* site natural gas use (therms);
• *Weather normalized* site natural gas intensity (therms/ft^2) 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.

Y6.4 Energy Audit Forms (Form D) Audit Template. Not applicable for *Tier 2 covered buildings*.

Form E. Not adopted.

Y6.5 Normative Annex X, Investment Criteria Tool (Form F). Not applicable for *Tier 2 covered buildings*.

Y6.6 Documentation of a building of historic significance (Form G). Not applicable for *Tier 2 covered buildings*.

Y6.7 Application for exemption certificate (Form H). Apply for an exemption certificate by submitting the following documentation in the form specified by the *AHJ*. The application must include the following:

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;
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. *Building* information:
a. Primary building activity type from Table 7-1, or a description of the *nontarget building* type;
b. *Building gross floor area*;
c. *Building* gross conditioned floor area.
4. Reason for exemption: Based on exemptions listed in Section Y4.1(2) Exemptions. 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 cash 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.

Y6.8 Grouped Buildings Compliance with Standard 100 (Form J).
1. *Grouped buildings* identification:
a. Washington state *grouped buildings* 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;
k. Postal code.
2. Contact information:
a. *Grouped buildings 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):
i. Licensure; or
ii. 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. *Decarbonization plan* author, where applicable:
a. Company name;
b. Contact name;
c. Address 1 (street);
d. Address 2;
e. City;
f. State;
g. Postal code;
h. Telephone number;
i. Email address.
6. This compliance report is for:
a. *Grouped buildings* that will meet compliance for *Tier 2 covered buildings*.
7. Summary data:
a. **EUI_t.** *Energy use intensity target* (EUI_t) (kBtu/ft^2/yr) based on Section Y6.2 Form B;

Note: *Grouped buildings* without an *energy target* unable to develop EUI_t in accordance with Section 7.2.2 or 7.2.3 shall report:
• National median site *EUI* (kBtu/ft^2) as calculated by the Energy Star portfolio manager account on Form C.

b. **EUI.** Measured site *energy use intensity* (*EUI*) (kBtu/ft^2) for the *grouped buildings'* compliance year based on Section Y6.3 Form C;

Note: *Grouped buildings* unable to comply with Section 5.2 Building energy monitoring, and complete Section Z6.3 Form C, shall report:
• Reason statement why *EUI* cannot be measured.

c. **WNEUI.** Measured *weather normalized* site *energy use intensity* (*WNEUI*) (kBtu/ft^2) for the *grouped buildings'* compliance year based on Section Y6.3 Form C.
d. **Date range.** List the months/year of the collected data (mm/yyyy - mm/yyyy) for the *grouped buildings'* compliance year from Section Y6.3 Form C.
8. Have the energy management requirements of Section 5 been met in accordance with the compliance schedule outlined in Section Z3.2 for *Tier 1 covered buildings*, Section Y3.2 for *Tier 2 covered buildings*, and for *campuses* participating in the *decarbonization plan* by July 1, 2030, for *buildings* not covered, but connected to the *district energy system*? [ ] Yes [ ] No
• Upload energy management plan as specified by the *AHJ*.
9. Have the operation and maintenance requirements of Section 6 been met in accordance with the compliance schedule outlined in Section Z3.2 for *Tier 1 covered buildings*, Section Y3.2 for *Tier 2 covered buildings*, and for *campuses* participating in the *decarbonization*

plan by July 1, 2030, for *buildings* not covered, but connected to the *district energy system*? [ ] Yes [ ] No

• Upload operation and maintenance implementation documentation as specified by the *AHJ*.

10. Date the audit and economic evaluation was completed (N/A if none required).

• Upload audit reports as specified by Section Z6.4 Form D.

11. Have all *EEMs* required by Section 8 been implemented? [ ] Yes [ ] No

12. Have the requirements of Section 9 been completed? [ ] Yes [ ] No

13. We state that these *grouped buildings* comply with ANSI/ASHRAE/IES Standard 100 as amended by the *AHJ* to conform with RCW 19.27A.210:

a. Signature of *grouped buildings owner*:

• Date:

b. Signature of *qualified energy manager* or *qualified person*:

• Date:

c. Signature of *energy manager*:

• Date:

d. Signature of *authority having jurisdiction*:

• Conditional or final compliance:

• Date:

Y7. Section 7—Tables as modified by Washington state.

See Normative Annex Z - Washington State Reporting Requirements for:

• **Table 7-1 Building Activity Types/Activities**

• **Table 7-2a Building Activity Site Energy Targets (EUI_{t1}) (I-P Units)**

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

• **Table 7-4 Building Activity Type Definitions Table**

[Statutory Authority: RCW 19.27A.210 and 19.27A.250. WSR 26-15-112, s 194-50-160, filed 7/21/26, effective 8/21/26. Statutory Authority: RCW 19.27A.210. WSR 24-16-041, § 194-50-160, filed 7/30/24, effective 8/30/24. Statutory Authority: RCW 19.27A.210 and 19.27A.250. WSR 24-03-033, § 194-50-160, filed 1/8/24, effective 2/8/24.]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency.