Draft MDE Statewide BEPS and Montgomery County DEP Benchmarking Alignment Guidance
October 2024

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Data Submission

Both Montgomery County and Maryland's statewide benchmarking requirements use ENERGY STAR Portfolio Manager as the benchmarking and reporting tool. Portfolio Manager can share data with multiple parties. Building owners in Montgomery County must simply connect and share their property in Portfolio Manager with both Maryland Department of Environment (MDE) and Montgomery County Department of Environmental Protection (DEP). After sharing, DEP also requires benchmarking reports to be submitted via the Montgomery County Building Energy Benchmarking Reporting Portal (see directions here). For more information on how to do this, please refer to each jurisdiction's guidance [Montgomery County, MDE September 2024 draft].

The following sections will provide guidance on how to handle slight differences in the BEPS requirements for both jurisdictions using a single Portfolio Manager entry for your covered building.

Exclusions

The following exclusions apply to how energy data is captured in ENERGY STAR Portfolio Manager.

Electric Vehicle Charging

Building owners should, in order of data availability:

1. Omit EV charging electricity use if it is captured on a separate meter;
2. Deduct EV charging electricity use via negative meter and omit the EV charging station as a property type if submetered;
3. If neither, enter EV charging as a property use type and fill out the requested information about number and type of chargers (see the Portfolio Manager guidance for more details). An estimated energy use will be generated by Portfolio Manager and subtracted from your performance metrics.

Parking

Parking of any type (garage, lot, etc.) is excluded from the Gross Floor Area (GFA) of the building for the purposes of determining whether it is a covered building or not. The energy use for this parking area can also be excluded. To do this, building owners should, in order of preference:

1. Omit parking energy use if it is captured on a separate meter and do not report parking/parking GFA as a property type in the benchmarking report;
2. Deduct parking energy use via negative meter and do not report parking/parking GFA as a property type in the benchmarking report if it is submetered;
3. If neither, enter parking as a property use type and fill out the requested information in Portfolio Manager (see the Portfolio Manager guidance for more details).
    a. For MDE: An estimated parking energy use will be generated by Portfolio Manager and subtracted from your performance metrics.
    b. For DEP: The building will be provided a parking-adjusted final performance standard.

Heated Pools

If your pools are sub-metered, Portfolio Manager's best practice is to exclude them from your property, especially outdoor heated pools (see Portfolio Manager guidance). Thus, building owners should, in order of data availability:

1. Omit pool energy use and do not report pool as a property type within the building if it is captured on a separate meter;
2. Deduct pool energy use via negative meter and omit the pool as a property type if it is submetered;
3. If neither, enter indoor and outdoor heated pools as a property type and fill out the requested information in Portfolio Manager (see the Portfolio Manager guidance for more details).
    a. For MDE: An estimated energy use will be generated by Portfolio Manager and subtracted from your performance metrics.
    b. For DEP: The estimated pool energy use will be used to provide a pool-adjusted final performance standard.

Food Service Facilities [MDE only]

This exclusion is specific to MDE's statewide BEPS. Standalone food service facilities over 25,000 square feet in Montgomery County will only report to DEP. Food service facilities within other buildings will, in many cases, be excluded from DEP's BEPS reporting based on DEP's definition of a building which excludes tenant spaces that are less than 25,000 square feet, separately metered for all utilities, and do not share interior area with the rest of the building from benchmarking/BEPS requirements[1]. Otherwise:

1. If the food service facility is separately metered:

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[1] Montgomery County's benchmarking/BEPS law defines a building as:

(1)   any single structure utilized or intended for supporting or sheltering any occupancy, **except if a single structure contains two or more individually metered units operating independently that have stand-alone heating, cooling, hot water, and other mechanical systems, and no shared interior common areas**, or;

(2)   two or more structures utilized or intended for supporting or sheltering any occupancy, that:
(A)   are serviced by a common energy meter;
(B)   have a common heating or cooling system;
(C)   share interior common areas; or
(D)   whose configuration otherwise prevents an accurate determination of the energy consumption attributable to each individual structure.

a. If not reporting this food service facility energy use to DEP, continue excluding it;
b. If it is included in reporting to DEP, ensure that the GFA is entered as the "restaurant" property type in Portfolio Manager. This will tell MDE to look for an exclusion. Enter the annual energy use from this separate meter in Custom Use Detail 1, setting the units to kWh, if electric, and Custom Use Detail 2, setting the units to therms, if fuel-fired. Name these fields "food service facility metered [*insert fuel type*] energy use." MDE will subtract this energy use from your final performance metrics although it will not be reflected in Portfolio Manager.

> *Note: Though EPA generally advises including the GFA of small food services spaces as part of the primary property type, in order for MDE to provide a food service exemption, you must report the floor area of any food service areas inside your building as a separate "Restaurant" property type.*

2. If the food service facility is submetered:
   a. If not reporting this food service facility energy use to DEP, continue excluding it;
   b. If it is included in reporting to DEP, ensure that the GFA is entered as the "restaurant" property type in Portfolio Manager. This will tell MDE to look for an exclusion.
      i. If all-electric, enter the annual energy use from this submeter in Custom Use Detail 1, setting the units to kWh, if all-electric. Name this field "food service facility metered electric energy use."
      ii. If mixed-fuel, enter electric usage in Custom Use Detail 1 (following the instructions in i) and enter the fuel use in Custom Use Detail 2, setting the units to therms. Name this second field "food service facility metered fuel energy use." MDE will subtract this energy use from your final performance metrics although it will not be reflected in Portfolio Manager.

1. If neither, add a property use type of "Restaurant" for your food service facility and include the GFA of that property use type. Use the standard deduction formulas for food service facilities listed in Section A.2.1.4.1 of the MD BEPS TM24-01 (also listed in Table 1 below) to calculate the deductions for your food service facility.
   a. If an all-electric facility, enter the calculated energy use in Custom Use Detail 1 in Portfolio Manager. Name this field "food service facility estimated electric energy use" and set the units as kWh.
   b. If a mixed-fuel facility, enter the calculated electric energy in Custom Use Detail 1, naming the field "food service facility estimated electric energy use" and set the units as kWh. Enter the calculated fuel consumption in Custom Use Detail 2, naming the field "food service facility estimated fuel energy use" and set the units to therms. MDE will subtract this energy use from your final performance metrics although it will not be reflected in Portfolio Manager.

Table 1. Standard deduction formulas for food service facilities without separately or submetered energy use, per MD BEPS TM24-01.

Food Service Facility Type	Electric factor (kWh/ft^2)	Fuel factor (therms/ ft^2)
All-electric	67.2	*N/A*
Mixed-fuel	70	0.376
Portfolio Manager field (multiply by ft^2 and enter)	*Custom Use Detail #1*	Custom Use Detail #2
User-defined title	*Food Service Facility [Metered or Estimated] Electric Energy Use*	Food Service Facility [Metered or Estimated] Fuel Energy Use

Third Party Verification

If the data submission in any year must be verified by a third party for both the state and the county, building owners are advised to use a verifier with the credentials required by the state and follow the requirements for both jurisdictions verification. The same verification report can satisfy the requirements for both jurisdictions.