

Energy policy extracts Regarding GENII Micro Grid

42 USC 8253 : Energy management requirements

Text contains those laws in effect on January 12, 2017

From Title **42-THE PUBLIC HEALTH AND WELFARE** CHAPTER 91-NATIONAL ENERGY CONSERVATION POLICY SUBCHAPTER III-FEDERAL ENERGY INITIATIVE
Part B-Federal Energy Management

§8253. Energy management requirements

(a) Energy performance requirement for Federal buildings

(1) Subject to paragraph (2), each agency shall apply energy conservation measures to, and shall improve the design for the construction of, the Federal buildings of the agency (including each industrial or laboratory facility) so that the energy consumption per gross square foot of the Federal buildings of the agency in fiscal years 2006 through 2015 is reduced, as compared with the energy consumption per gross square foot of the Federal buildings of the agency in fiscal year 2003, by the percentage specified in the following table:

Fiscal Year	Percentage Reduction
2006	2
2007	4
2008	9
2009	12
2010	15
2011	18
2012	21
2013	24
2014	27
2015	30.

(b) Energy management requirement for Federal agencies

(1) Not later than January 1, 2005, each agency shall, to the maximum extent practicable, install in Federal buildings owned by the United States all energy and water conservation measures with payback periods of less than 10 years, as determined by using the methods and procedures developed pursuant to [section 8254 of this title](#).

(3) This subsection shall not apply to an agency's facilities that generate or transmit electric energy or to the uranium enrichment facilities operated by the Department of Energy.

(4) An agency may participate in the Environmental Protection Agency's "Green Lights" program for purposes of receiving technical assistance in complying with the requirements of this section.

(e) Metering of energy use

(1) Deadline

By October 1, 2012, in accordance with guidelines established by the Secretary under paragraph (2), all Federal buildings shall, for the purposes of efficient use of energy and reduction in the cost of electricity used in such buildings, be metered. Each agency shall use,

to the maximum extent practicable, advanced meters or advanced metering devices that provide data at least daily and that measure at least hourly consumption of electricity in the Federal buildings of the agency. Not later than October 1, 2016, each agency shall provide for equivalent metering of natural gas and steam, in accordance with guidelines established by the Secretary under paragraph (2). Such data shall be incorporated into existing Federal energy tracking systems and made available to Federal facility managers.

(f) Use of energy and water efficiency measures in Federal buildings

(1) Definitions

In this subsection:

(A) Commissioning

The term "commissioning", with respect to a facility, means a systematic process-

(i) of ensuring, using appropriate verification and documentation, during the period beginning on the initial day of the design phase of the facility and ending not earlier than 1 year after the date of completion of construction of the facility, that all facility systems perform interactively in accordance with-

(I) the design documentation and intent of the facility; and

(II) the operational needs of the owner of the facility, including preparation of operation personnel; and

(ii) the primary goal of which is to ensure fully functional systems that can be properly operated and maintained during the useful life of the facility.

(B) Energy manager

(i) In general

The term "energy manager", with respect to a facility, means the individual who is responsible for-

(I) ensuring compliance with this subsection by the facility; and

(II) reducing energy use at the facility.

(ii) Inclusions

The term "energy manager" may include-

(I) a contractor of a facility;

(II) a part-time employee of a facility; and

(III) an individual who is responsible for multiple facilities.

(C) Facility

(i) In general

The term "facility" means any building, installation, structure, or other property (including any applicable fixtures) owned or operated by, or constructed or manufactured and leased to, the Federal Government.

(ii) Inclusions

The term "facility" includes-

(I) a group of facilities at a single location or multiple locations managed as an integrated operation; and

(II) contractor-operated facilities owned by the Federal Government.

(iii) Exclusions

The term "facility" does not include any land or site for which the cost of utilities is not paid by the Federal Government.

(D) Life cycle cost-effective

The term "life cycle cost-effective", with respect to a measure, means a measure, the estimated savings of which exceed the estimated costs over the lifespan of the measure, as determined in accordance with [section 8254 of this title](#).

(E) Payback period

(i) In general

Subject to clause (ii), the term "payback period", with respect to a measure, means a value equal to the quotient obtained by dividing-

(I) the estimated initial implementation cost of the measure (other than financing costs); by

(II) the annual cost savings resulting from the measure, including-

(aa) net savings in estimated energy and water costs; and

(bb) operations, maintenance, repair, replacement, and other direct costs.

(F) Recommissioning

The term "recommissioning" means a process-

(i) of commissioning a facility or system beyond the project development and warranty phases of the facility or system; and

(ii) the primary goal of which is to ensure optimum performance of a facility, in accordance with design or current operating needs, over the useful life of the facility, while meeting building occupancy requirements.

(G) Retrocommissioning

The term "retrocommissioning" means a process of commissioning a facility or system that was not commissioned at the time of construction of the facility or system.

(2) Facility energy managers

(A) In general

Each Federal agency shall designate an energy manager responsible for implementing this subsection and reducing energy use at each facility that meets criteria under subparagraph (B).

(B) Covered facilities

The Secretary shall develop criteria, after consultation with affected agencies, energy efficiency advocates, and energy and utility service providers that cover, at a minimum, Federal facilities including central utility plants and distribution systems and other energy intensive operations, that constitute at least 75 percent of facility energy use at each agency.

(B) Recommissioning and retrocommissioning

As part of the evaluation under subparagraph (A), the energy manager shall identify and assess recommissioning measures (or, if the facility has never been commissioned, retrocommissioning measures) for each such facility.

(4) Implementation of identified energy and water efficiency measures

Not later than 2 years after the completion of each evaluation under paragraph (3), each energy manager may-

(A) implement any energy- or water-saving measure that the Federal agency identified in the evaluation conducted under paragraph (3) that is life cycle cost-effective; and

(B) bundle individual measures of varying paybacks together into combined projects.

(5) Follow-up on implemented measures

For each measure implemented under paragraph (4), each energy manager shall ensure that-

(A) equipment, including building and equipment controls, is fully commissioned at acceptance to be operating at design specifications;

(B) a plan for appropriate operations, maintenance, and repair of the equipment is in place at acceptance and is followed;

(C) equipment and system performance is measured during its entire life to ensure proper operations, maintenance, and repair; and

(D) energy and water savings are measured and verified.

(8) Benchmarking of Federal facilities

(A) In general

The energy manager shall enter energy use data for each metered building that is (or is a part of) a facility that meets the criteria established by the Secretary under paragraph (2)(B) into a building energy use benchmarking system, such as the Energy Star Portfolio Manager.

(B) System and guidance

Not later than 1 year after December 19, 2007, the Secretary shall-

(i) select or develop the building energy use benchmarking system required under this paragraph for each type of building; and

(ii) issue guidance for use of the system.

(10) Funding and implementation

(A) Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this subsection.

(B) Funding options

(i) In general

To carry out this subsection, a Federal agency may use any combination of-

(I) appropriated funds made available under subparagraph (A); and

(II) private financing otherwise authorized under Federal law, including financing available through energy savings performance contracts or utility energy service contracts.

(ii) Combined funding for same measure

A Federal agency may use any combination of appropriated funds and private financing described in clause (i) to carry out the same measure under this subsection.

(C) Implementation

Each Federal agency may implement the requirements under this subsection itself or may contract out performance of some or all of the requirements.

(11) Rule of construction

This subsection shall not be construed to require or to obviate any contractor savings guarantees.

(g) Large capital energy investments

(1) In general

Each Federal agency shall ensure that any large capital energy investment in an existing building that is not a major renovation but involves replacement of installed equipment (such as heating and cooling systems), or involves renovation, rehabilitation, expansion, or

remodeling of existing space, employs the most energy efficient designs, systems, equipment, and controls that are life-cycle cost effective.

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