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Docket No. 20-RENEW-01
California Energy Commission
Dockets Office MS-4 1516
Ninth Street Sacramento, CA 95814-5512
School Energy Efficiency Stimulus Program

Re: Comments on SRVEVR Program Draft Guidelines Presented at January 22, 2021 Workshop

Dear Commissioners and Staff:

I am writing on behalf of the Joint Committee on Energy and Environmental Policy ("JCEEP") to comment on the Draft Guidelines for the School Energy Efficiency Stimulus Program ("SRVEVR Program") presented at the January 22, 2021 Staff Workshop and to respond to several questions that were raised by stakeholders at the workshop.

JCEEP is an advocacy organization that represents the California sheet metal workers' local unions and over 25,000 technicians working for over 600 contractors throughout California. JCEEP's mission is to promote responsible environmental and indoor air quality and energy policy in California as it pertains to and impacts the HVAC industry. JCEEP was formed on the premise that air handling systems need to be designed, built and maintained not just to manage comfort levels of indoor air, but also to protect against health threats and to ensure energy efficiency. JCEEP's members have over 15 training facilities throughout the state and thousands of workers being trained daily in HVAC specialties, such as testing, adjusting and balancing, commissioning, green building design, energy efficiency, and indoor air quality.

A. Application of AB 841 standards where there is no existing mechanical ventilation or where the existing mechanical ventilation is non-operational or requires replacement in order to meet standards.

At the workshop, stakeholders asked how the AB 841 program would be applied to school buildings that do not currently have any mechanical ventilation, or where the existing mechanical ventilation would require replacement or major repairs in order to meet the required ventilation and filtration standards referenced in AB 841. School buildings that lack a functional mechanical ventilation system should be allowed to participate in the AB 841 program with some minor modifications to the requirements. School buildings that lack a functional mechanical ventilation system will still benefit from an assessment of the ventilation that is currently provided, documentation (including documentation of doors and windows that can be opened), documentation of recommended upgrades to ensure classrooms are able to provide adequate ventilation, and installation of CO2 monitors. The installation of CO2 monitors is particularly important in buildings without functional or adequate mechanical ventilation since those buildings will rely on teachers or other occupants to ensure windows or doors are open to provide adequate ventilation. The monitors will also provide documentation of unsafe classroom conditions that may need to be prioritized for future upgrades if the available passive ventilation is not sufficient.

While AB 841 does not directly address the assessment process for school buildings without functional mechanical ventilation, Section 1614 (c) provides the Energy Commission the authority to adopt guidelines and amend the technical and assessment requirements as needed to achieve the intent of the SRVEVR Program and to ensure consistency with related requirements and codes. In cases where there is limited or no existing mechanical ventilation, the assessment should be allowed to shift the focus to available options for immediate improvements in ventilation and CO2 monitoring, and to have the design professional document further recommended upgrades.

JCEEP supports adopting the following modified guidelines to apply to school buildings that do not currently have operational mechanical ventilation, or where the existing mechanical ventilation would require replacement in order to meet the required ventilation and filtration standards referenced in AB 841.

1. Verify the functionality and document nameplate data on any existing HVAC equipment (i.e., heating only units, exhaust fans, etc.)

2. Verify and document the location of windows and doors that can be opened.

    a. Verify if windows have any switches or controls that initiate exhaust fans, motorized dampers or other devices that operate to provide free cooling.

3. Verification or installation of the CO^2 sensor.

4. Contact the licensed professional to determine what additional information will be of assistance in considering the addition of mechanical ventilation. The licensed professional may consider multiple options including putting the building into a negative, operable windows, adding Outside Air (OSA) inlets to existing equipment, or adding new mechanical ventilation units.

    a. Verify locations for potential installation and identifying physical limitations.

    b. Verify existing mechanical, architectural, structural drawings match current conditions.

        i. Provide a sketch of actual roof penetrations, penetration type (i.e., vent pipe) and approximate locations if different from drawings.

    c. Verify locations of any vents that could contaminate Outside Air (OSA) intake locations.

    d. Photographs of existing building and potential locations for mechanical ventilation equipment.

    e. Document roof and wall type/material to the best of the technician's ability.

    f. Verify if existing mechanical equipment can be altered to accept Outside Air (OSA) or if a Dedicated Outside Air System (DOAS) is required.

g. Obtain information on central plant capacity (if applicable).

h. Document whether the school is within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor, as defined, or within 1,000 feet of a facility holding a specified permit issued pursuant to the federal Clean Air Act, or whether other outside air conditions may make reliance on windows or other sources of non-filtered outside air potentially hazardous to occupants.

i. Document recommendations for adding mechanical ventilation and filtration where none currently exists or for replacing a mechanical ventilation system where the current system is non-operational or is unable to provide recommended levels of ventilation and filtration.

B. Funding for Portable Filtration and Air Cleaning Devices

At the workshop, a stakeholder asked whether AB 841 funding could be used to install portable filtration and air cleaners. Portable air filtration and air cleaners would not be able to provide adequate ventilation rates to classrooms and are unproven to significantly reduce the risk of COVID-19 spread. JCEEP does not oppose portable air filtration, but they should only be used as a temporary supplement to building ventilation systems where the desired indoor air quality cannot be achieved due to unusual conditions. Portable filtration and air cleaners are not addressed in the initial assessment, adjustment and minor repair and upgrade provisions of AB 841 because the need, usefulness and cost-effectiveness of portable filtration and air cleaners cannot be determined until after the initial assessment. The licensed professional may include the addition of a portable filtration and air cleaner in his or her recommendations for additional work that would be covered under the 20% contingency funding or under the additional funding that may be available pursuant to Section 1621(c)(2).

C. Funding for Private Consultants

At the workshop, a stakeholder asked whether AB 841 funding would cover the costs of hiring a private consultant to put together the application for funding. While LEA may certainly engage a private consultant to prepare its application if it wishes, JCEEP does not believe this added layer of cost is needed and does not

agree that it should be covered under the AB 841 grant. The limited funding of AB 841 should be reserved for direct assessment improvements of the HVAC infrastructure as outlined in AB 841.

The Energy Commission has expressed that the application will be simple and intuitive. Furthermore, most of the information needed for an application would be provided by the bidding contractor. The contractor preparing the bid would provide the required technical information, including:

- Amount of equipment
- Type of equipment
- Estimated cost to perform the HVAC assessment, assessment report, general maintenance, adjustment of ventilation rates, filter replacement, and carbon dioxide monitor installation required under sections 1623 to 1627, plus an additional 20% for contingency work related to repairs, replacements or energy efficiency upgrades.

JCEEP also notes that Section 1615 (d) provides that the Energy Commission may use up to "five million dollars ($5,000,000) per year, of the SRVEVR Program and the SNPFA Program funds for administrating the programs, including providing technical support to program participants." (Emphasis provided.) To the extent that severely underfunded school districts may need additional assistance in putting together their application, that assistance should be provided by the Commission pursuant to this funding.

D. The 20% Contingency Funding Should Apply to Work on an Entire School Campus or School District, Not Each Unit.

At the workshop, stakeholders asked whether the 20% contingency funding for minor repairs or energy efficiency upgrades would apply to each unit, each school campus or as an aggregate of all the school sites covered under an LEA's application. Staff indicated that they interpreted this as applying to each unit. JCEEP disagrees with this interpretation. Section 1621 of AB 841 refers to applications by LEAs and states that the grant to the LEAs shall include an additional 20% for repairs, upgrades, or replacements necessary to make the system functional or more energy efficient. JCEEP reads this as to provide a 20% contingency for the entire grant to the LEA that it may target to whichever systems that require additional repairs or energy efficiency upgrades, not that it gets broken down by each HVAC unit.

To the extent that the scope of the 20% contingency is vague, staff has the authority to adopt a reasonable interpretation through these guidelines. Here, the intent of the 20% contingency is to address unforeseen repair costs and to provide for targeted energy efficiency upgrades. Where a school has 19 units that do not require any additional repairs and 2 units that require major repairs, the LEA should have the discretion to target its entire 20% contingency to the units that need the major repair. JCEEP strongly urges the Energy Commission to adopt an expansive interpretation of the 20% contingency reserve funding to encompass at least an entire school site.

JCEEP appreciates the opportunity to provide these comments.

Sincerely,

Thomas A. Enslow
Counsel for the Joint Committee
on Energy and Environmental Policy

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