

**DOCKETED**

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**AB 841\_Public Workshop 210428\_NEMI Comments\_210507**

*Additional submitted attachment is included below.*



® 3180 Fairview Park Drive, Suite 400  
Falls Church, VA 22042  
(o) 703-739-7100 • (f) 703-683-7615 • [www.nemionline.org](http://www.nemionline.org)

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

Re: Comments on SEES Program Workshop as presented on April 28, 2021

Dear Commissioners and Staff:

I am writing on behalf of the National Energy Management Institute (NEMI) to comment on the School Energy Efficiency Stimulus Program (“SEES Program”) as presented at the April 28, 2021 Staff Workshop and to respond to several questions that were raised by stakeholders at the workshop.

**A. Contractor Estimates – Staff Guideline Clarifications**

NEMI supports adopting the following modifications to Chapter 2: Project Requirements of the School Reopening Ventilation and Energy Efficiency Verification and Repair Program Guideline. Contractors commonly develop and provide customers with estimates containing detailed site-specific budget, timeline, and accurate description of scope of work. However, if that scope is not clearly defined, contractors must bid high to account for unknowns. The following recommend changes reduce the unknowns. Limited unknowns, or risk, will result in a more uniform estimation process.

See submitted: Recommended Clarification to Revised Staff Draft Guidelines SRVEVR\_210507

**B. Alternative Technical Requirements for Obsolete/Non-functioning Equipment – Recommended Language**

NEMI supports adopting the following language:

*The assessment is intended for Heating, Ventilation, and Air Conditioning (HVAC) units that are part of the ventilation system serving schools. Units scheduled for immediate replacement would not require or benefit from an assessment. Units that need replacement but are not yet scheduled for replacement and will continue to be relied upon to provide ventilation, shall have an assessment performed. The application and HVAC Verification Report shall identify all HVAC units on the site. HVAC units that will be excluded from the assessment, along with the justification for not performing an assessment, must be documented within the application and in the final HVAC Verification Report.*





### **C. Alternative Technical Requirements for Obsolete/Non-functioning Equipment – Clarification**

There is not enough funding or capability to immediately replace every HVAC unit serving California's 10,500+ schools, that have exceeded their expected service life. Additionally, many units that have exceeded their "expected service life" are still functional and funding may be more efficiently used on the replacement of equipment that is not functional.

Some of the stakeholders have been under the impression that AB 841 calls for the immediate replacement of any unit that cannot support a MERV 13 filter or provide adequate ventilation for the expected occupancy. While obtaining the minimum adequate ventilation rate is a primary goal of AB 841, it must be recognized that the minimum adequate ventilation rate is dependent on the expected occupancy and function of the space.

To reduce confusion, NEMI supports adopting the following clarifications:

- While not all systems can operate with a MERV 13, the highest MERV filtration shall be installed without adversely impacting equipment. Additional mitigation or upgrades can then be completed under the expected SEES HVAC Upgrade and Repair Grants or other Federal grant programs.
- If minimum ventilation rate requirements set forth in Table 120.1-A cannot be met, this deficiency shall be reported in the HVAC Assessment Report. However, a HVAC unit's ventilation rate shall still be measured and adjusted within the capabilities of the existing equipment. Additional mitigation or upgrades can then be completed under the expected SEES HVAC Upgrade and Repair Grants or other Federal grant programs.

We should not lose sight of the importance of verifying deficiencies and the immediate mitigation efforts that can be taken once the limitations are understood. The Licensed Professional, after reviewing the HVAC Assessment Report, can provide valuable recommendations to a school. For example:

- A classroom with an existing older system may only be able to get enough ventilation for 25 students. Until the unit can be replaced the school now knows to limit the number of students occupying that specific classroom.
- A room previously used for aerobic activity may be deemed safe for a study hall until further improvements can be made.
- If a unit cannot handle a MERV 13 filter, the school may want to consider temporary supplemental filtration. Portable HEPA air filtration should only be used as a temporary supplement to building ventilation systems where the desired indoor air quality cannot be achieved until further improvements have been made.



## **D. Contractor Estimates – Reduced Overhead**

NEMI supports a simplification of the application process. The CEC should develop a simple and intuitive application. The contractor estimate shall be the primary substance of the application thus reducing the need for further consultation and unnecessary cost during the application process. This will allow for the allocated funding to be used as intended; to improve the ventilation in educational facilities serving our children.

The simple application and required content should be made immediately available to all stake holders who may be under the impression that private consultation is needed to complete the application due to unknown level of complexity.

## **E. Role of the Licensed Professional**

During the workshop there seemed to be a misunderstanding by some stakeholders that a Licensed Professional is not involved in the HVAC Assessment and Maintenance Grant process. On the contrary, the Licensed Professional is a key member of the team in the HVAC Assessment and Maintenance process.

This Licensed Professional involvement is clearly documented in the Revised Staff Draft Guidelines School Reopening Ventilation and Energy Efficiency Verification and Repair Program Guidelines

### **Section D. HVAC Assessment Report**

*A Qualified Testing Personnel or Qualified Adjusting Personnel shall prepare an HVAC Assessment Report for review by a Licensed Professional, as defined in Table 1, based on the requirements specified in the HVAC Assessment and Maintenance Requirements section above.*

The SEES program structure is based off research showing the problematic results of having unqualified people perform roles outside of their skill set or knowledge base. Under the SEES program a skilled, trained, and certified technician takes physical measurements, makes adjustments, and completes required repairs or upgrades. A Licensed Professional reviews the Assessment Report to:

- Determine what, if any, additional adjustments or repairs would be necessary to meet the minimum ventilation and filtration requirements.
- Determine whether any cost-effective energy efficiency upgrades or replacements are warranted or recommended.

The Licensed Professional will then be able to meet with the LEA to discuss deficiencies and options given available resources. Instead of assumptions, the Licensed professional and the LEA can make educated decisions based off the physical verification performed by the skilled, trained, and certified technician.



Thank you for your continuous efforts to solicit public comments and consider them in the administration of the programs you are responsible for.

Christopher Ruch  
*Director of Training*  
National Energy Management Institute  
3180 Fairview Park Drive, Suite 400  
Falls Church, VA 22042  
(C) 916-280-6281