Overviews

Chris Pendley: We will be sharing the slide deck and recording to all registrants.

MDE: Maryland's BEPS Portal can be found here:
https://mde.maryland.gov/programs/air/ClimateChange/Pages/bepsgetstartedportal.aspx

Food Service Facilities

Aggregated data is a problem if it includes commercial cooking gas from a ground-floor restaurant, though, correct? MD BEPS exempts that

This is answered in the "Food Service Facilities discussion" in the recording (~20:00 – 30:00)

Unique Building IDs:

How do we find our building/property in the MD DEPS? search by tax id or address?

This is answered in the "Unique Building IDs" in the recording (~39:00 – 45:00)

Estimated Values:
MDE: For information on MDE's estimations. Please see the benchmarking guide
https://mde.maryland.gov/programs/air/ClimateChange/Documents/Jan-2025_MD-BEPS_Benchmarking_Guide.pdf

Chris Pendley: If anyone has questions about how to [find estimated values in ESPM] for their property, please feel free to reach out to me.

Maryland Utility Participation in Benchmarking Requirements

Are all MD utilities participating in benchmarking?

MDE: Yes, although the process varies a bit utility to utility. You can find the info for your utility here:
https://mde.maryland.gov/programs/air/ClimateChange/Documents/Connecting%20with%20your%20energy%20data%20provider.pdf

The building owner/their representative submits the request to the utility for their whole building as one. There's a step with the utility to confirm all the tenant meters are captured. If there are 5 or more tenants, that data from all the tenant meters can be provided directly to the owner in an aggregated form without requiring tenant authorization. If there are 4 or fewer tenants, the building owner needs to obtain consent from the tenants (it can be through the lease) and then the utility can again provide aggregated data to the owner.

Restaurants reporting to Montgomery County:
Are any restaurants reporting directly to MoCo?

There are a handful of (~3) mixed-use buildings primarily classified as "Restaurant" or "Food Service" (more than 50% of the building's floor area is comprised of this type) in MoCo. It is more common to have restaurant / food service reported as a small space within offices, multifamily buildings, hotels, etc. (about 50 buildings reported last year include a restaurant or food service space).

Unless the energy data for these spaces is readily available, it will be easiest for most of these buildings to claim MDE's standard food service deduction based on the square footage of food service area.

Retail Lease Language:

Long-term: Would municipality help to supply language that could be inserted within a Retail Lease for BEPS compliance?

Chris Pendley: Michael--can you email me that request when you get some time? We won't be able to get to this specific question in this webinar but want to make sure we have this captured.

Luke Lanciano: There are some green lease language examples here: https://greenleaseleaders.com/resource/green-lease-language-examples/

That would include some items requiring data-sharing, allow for pass-throughs for BEPS-related project costs, etc.

Generator Exemptions

Are the MDE forms for every emergency generator to be submitted separately from the Energy Star form? How will those reports be tracked and acknowledged?

MDE: The fuel use is submitted as part of Portfolio Manager as normal but because it is often included in aggregated data (e.g. natural gas, #2 fuel oil delivered to the building, propane, etc.) and the exemption is fairly specific, the generator exemption application has to accompany a submission via the BEPS portal. (This is also covered at ~30:00 in the presentation)

Third-Party Verification

Is 3rd party verification required for the first year of reporting to MD?

MDE: No, the second year (2026 for CY2025 data).

Does the state accept Energy Star certifications as third-party verification?

MDE: The PE review from ENERGY STAR certifications would be acceptable, provided the PE's credentials are entered as the verifier

Changes in Property Ownership

What is the ownership selling property requirement for changes in property ownership?

DEP: County law requires transfer of records needed for benchmarking/BEPS at time of sale: https://codelibrary.amlegal.com/codes/montgomerycounty/latest/montgomeryco_md/0-0-0-158380

MDE: Good question! It's the owner at the end of the year. There's a requirement that the seller has to provide all the information to the new owner necessary to submit a benchmarking report. https://mde.maryland.gov/programs/air/ClimateChange/Documents/BEPS%20Unofficial%20text%20COMAR%2026.28.pdf

Garden-Style Properties and Campus Compliance

Chris Pendley:If you own/manage garden-style multifamily properties and are trying to figure out if a garden-style campus compliance approach makes sense for your property for Maryland benchmarking, please email me.

New Buildings and Benchmarking

What is the timing for reporting data on a new building, which is still being leased and only partially occupied?

DEP: Per County law, newly constructed covered buildings must begin reporting following the first full calendar year that energy data can be collected and that the building was occupied by at least one full-time-equivalent employee. For example, the building opened September 1, 2023. CY 2024 is the first full calendar year that the building was at least partially occupied and received energy bills so it's first reporting deadline would be June 1, 2025. The County only provides benchmarking waivers if the building is fully vacant.

MDE: Maryland adds "authorized occupant" in addition to "full time equivalent employee" and also have a total exemption for vacant buildings and a baseline establishment delay for low occupancy buildings. Both of these exemptions would need to be applied for annually. The baseline delay can only be granted 3 times.