

**RCW 39.35.030 Definitions.** For the purposes of this chapter the following words and phrases shall have the following meanings unless the context clearly requires otherwise:

(1) "Combined heat and power" means the sequential generation of electricity and useful thermal energy from a common fuel source where, under normal operating conditions, the facility has a useful thermal energy output of no less than thirty-three percent of the total energy output.

(2) "Critical governmental facility" means a building or district energy system owned by the state or a political subdivision of the state that is expected to:

(a) Be continuously occupied;

(b) Maintain operations for at least six thousand hours each year;

(c) Have a peak electricity demand exceeding five hundred kilowatts; and

(d) Serve a critical public health or public safety function during a natural disaster or other emergency situation that may result in a widespread power outage, including a:

(i) Command and control center;

(ii) Shelter;

(iii) Prison or jail;

(iv) Police or fire station;

(v) Communications or data center;

(vi) Water or wastewater treatment facility;

(vii) Hazardous waste storage facility;

(viii) Biological research facility;

(ix) Hospital; or

(x) Food preparation or food storage facility.

(3) "Department" means the state department of enterprise services.

(4) "Design standards" means the heating, air conditioning, ventilating, and renewable resource systems identified, analyzed, and recommended by the department as providing an efficient energy system or systems based on the economic life of the selected buildings.

(5) "Economic life" means the projected or anticipated useful life of a major facility as expressed by a term of years.

(6) "Energy management system" means a program, energy efficiency equipment, technology, device, or other measure including, but not limited to, a management, educational, or promotional program, smart appliance, meter reading system that provides energy information capability, computer software or hardware, communications equipment or hardware, thermostat or other control equipment, together with related administrative or operational programs, that allows identification and management of opportunities for improvement in the efficiency of energy use, including but not limited to a measure that allows:

(a) Energy consumers to obtain information about their energy usage and the cost of energy in connection with their usage;

(b) Interactive communication between energy consumers and their energy suppliers;

(c) Energy consumers to respond to energy price signals and to manage their purchase and use of energy; or

(d) For other kinds of dynamic, demand-side energy management.

(7) "Energy systems" means all utilities, including, but not limited to, heating, air conditioning, ventilating, lighting, and the supplying of domestic hot water.

(8) (a) "Energy-consumption analysis" means the evaluation of all energy systems and components by demand and type of energy including the internal energy load imposed on a major facility or a critical governmental facility by its occupants, equipment, and components, and the external energy load imposed on a major facility or a critical governmental facility by the climatic conditions of its location. An energy-consumption analysis of the operation of energy systems of a major facility or a critical governmental facility shall include, but not be limited to, the following elements:

(i) The comparison of three or more system alternatives, at least one of which shall include renewable energy systems, and one of which shall include all-electric energy systems;

(ii) The simulation of each system over the entire range of operation of such facility for a year's operating period;

(iii) The evaluation of the energy consumption of component equipment in each system considering the operation of such components at other than full or rated outputs;

(iv) The identification and analysis of critical loads for each energy system; and

(v) For a critical governmental facility, a combined heat and power system feasibility assessment, including but not limited to an evaluation of: (A) Whether equipping the facility with a combined heat and power system would result in expected energy savings in excess of the expected costs of purchasing, operating, and maintaining the system over a fifteen-year period; and (B) the cost of integrating the variability of combined heat and power resources.

(b) The energy-consumption analysis shall be prepared by a professional engineer or licensed architect who may use computers or such other methods as are capable of producing predictable results.

(9) "Greenhouse gas" has the same meaning as provided in RCW 70A.45.010.

(10) "Initial cost" means the moneys required for the capital construction or renovation of a major facility.

(11) "Life-cycle cost" means the initial cost and cost of operation of a major facility or a critical governmental facility over its economic life. This shall be calculated as the initial cost plus the operation, maintenance, and energy costs over its economic life, reflecting anticipated increases in these costs discounted to present value at the current rate for borrowing public funds, as determined by the office of financial management. The energy cost projections used shall be those provided by the department. The department shall update these projections at least every two years.

(12) "Life-cycle cost analysis" includes, but is not limited to, the following elements:

(a) The coordination and positioning of a major facility or a critical governmental facility on its physical site;

(b) The amount and type of fenestration employed in a major facility or a critical governmental facility;

(c) The amount of insulation incorporated into the design of a major facility or a critical governmental facility;

(d) The variable occupancy and operating conditions of a major facility or a critical governmental facility; and

(e) An energy-consumption analysis of a major facility or a critical governmental facility.

(13) "Major facility" means any publicly owned or leased building having twenty-five thousand square feet or more of usable floor space.

(14) "Public agency" means every state office, officer, board, commission, committee, bureau, department, and all political subdivisions of the state.

(15) "Renewable energy systems" means methods of facility design and construction and types of equipment for the utilization of renewable energy sources including, but not limited to, hydroelectric power, active or passive solar space heating or cooling, domestic solar water heating, windmills, waste heat, biomass and/or refuse-derived fuels, photovoltaic devices, and geothermal energy.

(16) "Renovation" means additions, alterations, or repairs within any twelve-month period which exceed fifty percent of the value of a major facility or a critical governmental facility and which will affect any energy system.

(17) "Selected buildings" means educational, office, residential care, and correctional facilities that are designed to comply with the design standards analyzed and recommended by the department. [2022 c 178 s 3; 2015 3rd sp.s. c 19 s 4. Prior: 2011 1st sp.s. c 43 s 247; 2001 c 214 s 16; 1996 c 186 s 402; 1994 c 242 s 1; 1991 c 201 s 14; 1982 c 159 s 3; 1975 1st ex.s. c 177 s 3.]

**Finding—Intent—2015 3rd sp.s. c 19:** See note following RCW 39.35.010.

**Effective date—Purpose—2011 1st sp.s. c 43:** See notes following RCW 43.19.003.

**Severability—Effective date—2001 c 214:** See notes following RCW 80.50.010.

**Findings—2001 c 214:** See note following RCW 39.35.010.

**Findings—Intent—Part headings not law—Effective date—1996 c 186:** See notes following RCW 43.330.904.

**Applicability—1982 c 159:** See notes following RCW 39.35.010.