



## Conduct of Engineering Formal Clarification or Interpretation Request

Assigned by Responder:  Clarification  Interpretation      Tracking number ESM-CIR-2011-010\_\_\_\_\_

<b>Clarify</b>	To make the CoE document or its references understandable and free from confusion
<b>Interpret</b>	To formally provide an acceptable method of compliance with the document or references

### 1.0 Request

Brief Title: LEED certification non-applicability			
Affected Document Title, Number, and Rev. No. Engineering Standards Manual Chapter 14, Sustainable Design, r6			
Section/Article/Para and Existing Wording 2.0.C For new buildings and major building renovations and additions in excess of \$5M (TEC): 1. Obtain LEED-Gold rating...			
Inquiry (describe ambiguity or issue) Direction needed when LEED Gold is not applicable or practical.			
Requestor (LANL employee) Tobin Oruch on behalf of institution	Z Number 120812	Organization CENG-OFF	Date 4/4/2011

### 2.0 Response by Safety (or Security) Management Program Owner Representative (SMPOR/POC)

The Federal requirements are that all “new construction and major renovations” must follow the Guiding Principles (GP); a LEED gold building rating gets an automatic 100% GP compliant ranking. Whenever a project falls below the threshold for LEED Gold certification, application of sustainable principles is still mandated. Ensure such projects comply with applicable [GP](#) established in the Memorandum of Understanding on Federal Leadership in High Performance and Sustainable Buildings (HPSB). Screen the HPSB criteria for applicability, determine necessary measures to achieve applicable goals, and document these decisions and their ultimate completion during construction to the satisfaction of the Engineering Services-Design Engineering Sustainable Design Lead Reviewer or Ch 14 POC. Templates are available from the POC.

- When the cost of programmatic equipment (design, procurement, related oversight, etc.) is excluded from the Total Estimated Costs (TEC) calculation and the result is under \$5M, obtaining LEED Gold certification is not required. However, the calculation must be made a project record document, available for review.

Basis: Outside of DOE and a few other situations, USGBC’s LEED rating systems are voluntary and generally focused on traditional building sustainability, not programmatic equipment matters. Were such equipment costs included, some very small scope or scale projects might be subject to LEED whereas they would never be considered for LEED elsewhere as it would not be cost-effective.

- LEED requirement is only applicable where project/building meets LEED Minimum Program Requirements ([MPRs](#)) such as minimum 5000 gross square footage; at least one FTE; complete, permanent building or space; etc.

Basis: Failing to meet MPRs guarantees USGBC rejection. Square footage increased from USGBC’s 1000 per DOE/Evelo direction (consistent with 2010 SSP guidance for HPSB threshold, which is based on OMB grading per Begley, NA-161).

3. Renovations

- a. If planned renovations are less than either (i) 50% of building’s aggregate gross square footage or (ii) TEC under 25% of the replacement value of the building, then LEED is not applicable.

Basis: Projects below these thresholds would be rejected by USGBC. TEC of 25% from proposed 10CFR433 rulemaking published at 75 FR 29933. Floor area of 50% corresponds to an IEBC Level 3 Alteration and is also supported by the USGBC [Rating System Selection Guidance](#), Version 2, 11/24/10 which states: “If a particular rating system is appropriate for 40% or less of the gross floor area of a LEED project building or space, then that rating system should not be used. If a particular rating system is appropriate for 60% or more of the gross floor area of a LEED project building or space, then that rating system should be used.”

- b. If thresholds above are exceeded but the definition of **Major Renovation** from the USGBC Selection Guide is seemingly not met, obtain formal interpretation (LANL Form 2176) regarding applicability of LEED. The Site Chief Engineer is the approval authority for these formal interpretations.

Basis: Projects not meeting this definition would be rejected by USGBC, who’s Selection Guide defines **Major Renovation as:** “Includes extensive *alteration* work in addition to work on the *exterior shell* of the building and/or *primary structural components* and/or the core and peripheral MEP [mechanical/electrical/plumbing] and service systems and/or site work. Typically, the extent and nature of the work is such that the *primary function space* cannot be used for its intended purpose while the work is in progress and where a new certificate of occupancy is required before the work area can be reoccupied.” Standards Program concurrence ensures consistent interpretation.

- 4. For any project which believes either (i) all LEED [prerequisites](#) cannot be reasonably met (e.g., energy efficiency upon renovation meeting ASHRAE 90.1-2007, etc.) or (ii) Gold-level credit count cannot be reasonably met, obtain DOE Program/Site Office (e.g., Federal Project Director/acquisition executive) concurrence for waiver or other direction (e.g., alternative certification of LEED Silver, LEED Certified, etc.) by written direction and/or concurrence via project execution plan.

Basis: DOE O 430.2B CRD 7.a, which empowers DOE Program/Site Office for same.

Name Tobin Oruch	Z Number 120812	Signature Signature on file copy	Date 4/4/2011
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**3.0 SMPO Approval (Standards Manual and code and regulation matters only, otherwise N/A)**

Comments  
This interpretation is with modifications and concurrence by Wayne Evelo (DOE/NNSA/Los Alamos Site Office, Energy & Natural Resources Prgm Mgr), following input by DOE-HQ, per 4/4/2011 email.

Name Daniel Steinberg	Z Number 219039	Signature Signature on file copy	Date 4/4/2011
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Distribution (may be electronic): Requestor, SMPOR, SMPO, CENG-OFF Program POC