

Oregon Department of **ENERGY**

Oregon Building Performance Standard and Exemption Applications

OR BPS Team
July 17, 2026





OREGON DEPARTMENT OF ENERGY

Leading Oregon to a safe, equitable, clean, and sustainable energy future.

Our Mission

The Oregon Department of Energy helps Oregonians make informed decisions and maintain a resilient and affordable energy system. We advance solutions to shape an equitable clean energy transition, protect the environment and public health, and responsibly balance energy needs and impacts for current and future generations.

What We Do

On behalf of Oregonians across the state, the Oregon Department of Energy achieves its mission by providing:

- A Central Repository of Energy Data, Information, and Analysis
- A Venue for Problem-Solving Oregon's Energy Challenges
- Energy Education and Technical Assistance
- Regulation and Oversight
- Energy Programs and Activities

Using Teams

Click to raise your hand.
Click again to lower.

Raise

Reactions

Video Options

Webcam On

Webcam Off

Camera

Chat

01:12

Chat

People

Raise

React

View

Controls

Notes

Rooms

Apps

More

Camera

Mic

Share

Leave

Oregon Department of ENERGY

Welcome!

OREGON DEPARTMENT OF ENERGY

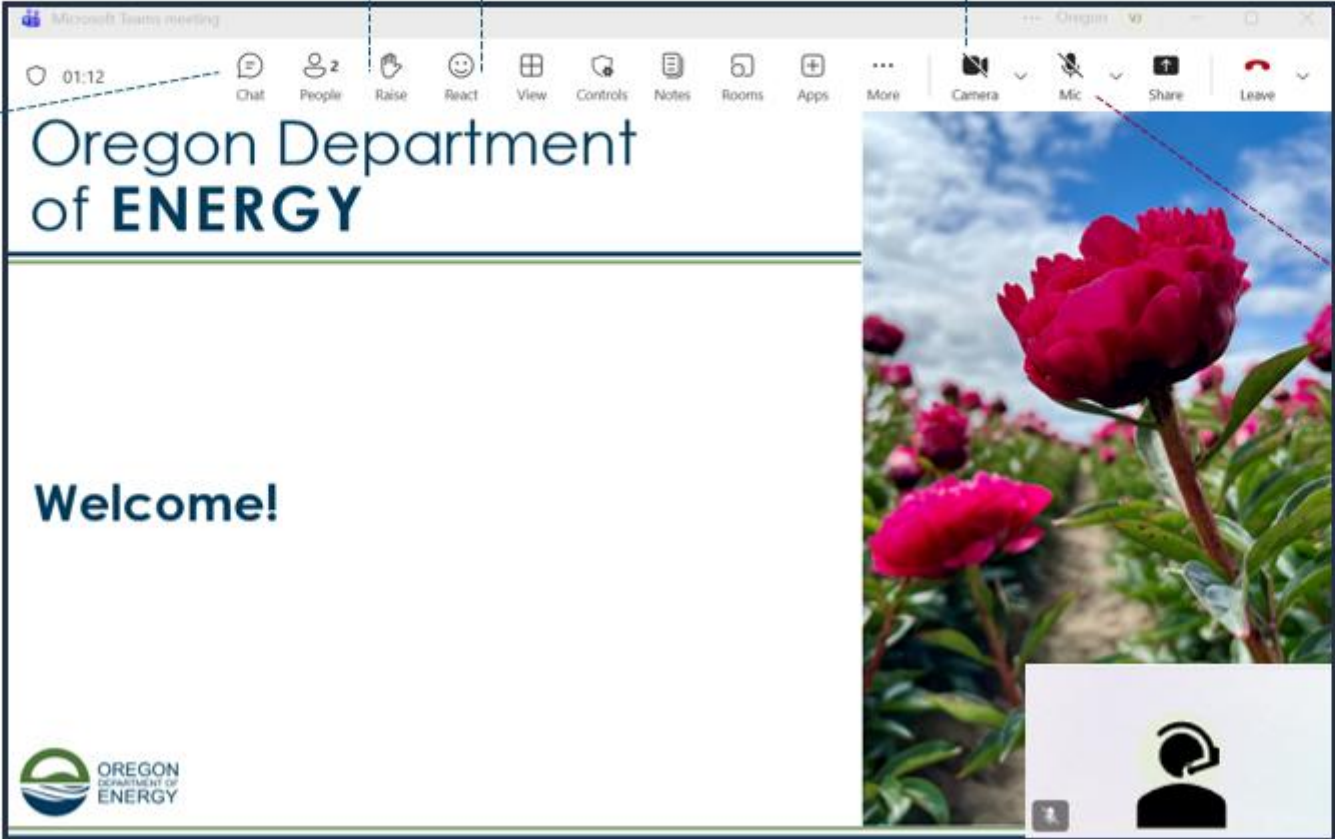
Audio Options

Mic

Microphone Off

Mic

Microphone On

A screenshot of a Microsoft Teams meeting window. The window title is "Microsoft Teams meeting". The top bar shows a timer at 01:12 and icons for Chat, People (2), Raise, React, View, Controls, Notes, Rooms, Apps, and More. The main content area is split: the left side shows a slide with the "Oregon Department of ENERGY" logo and the text "Welcome!", and the right side shows a video of red flowers. The bottom right corner has a small video thumbnail of a person. Annotations with dashed lines point to various controls: "Click to raise your hand. Click again to lower." points to the "Raise" button; "Reactions" points to the emoji icons; "Video Options" points to the "Camera" icon; "Webcam On" and "Webcam Off" point to the camera status indicators; "Camera" points to the camera icon in the bottom bar; "Audio Options" points to the "Mic" icon; "Microphone Off" and "Microphone On" point to the microphone status indicators; and "Chat" points to the "Chat" icon in the bottom bar.

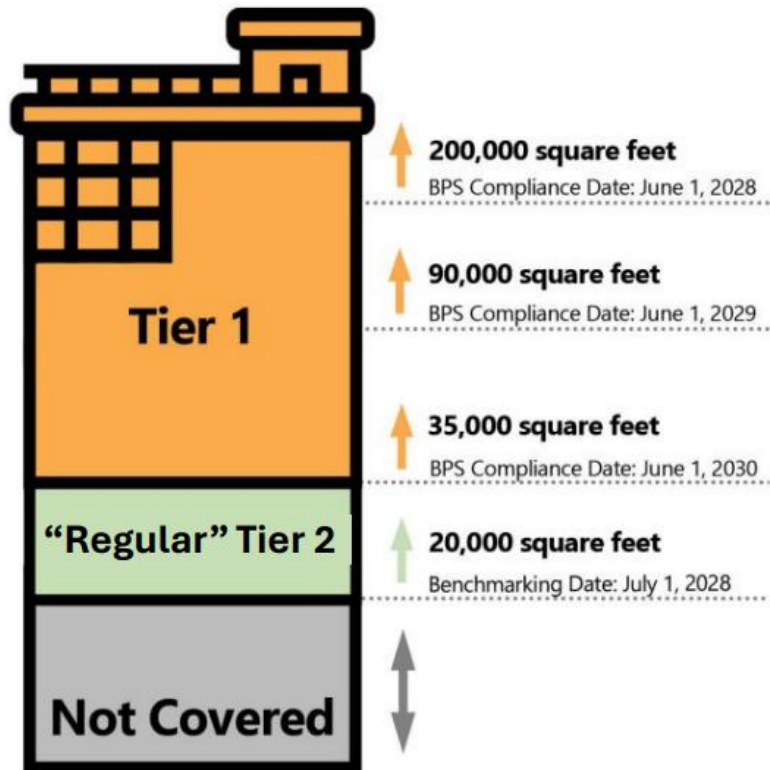


TODAY'S AGENDA

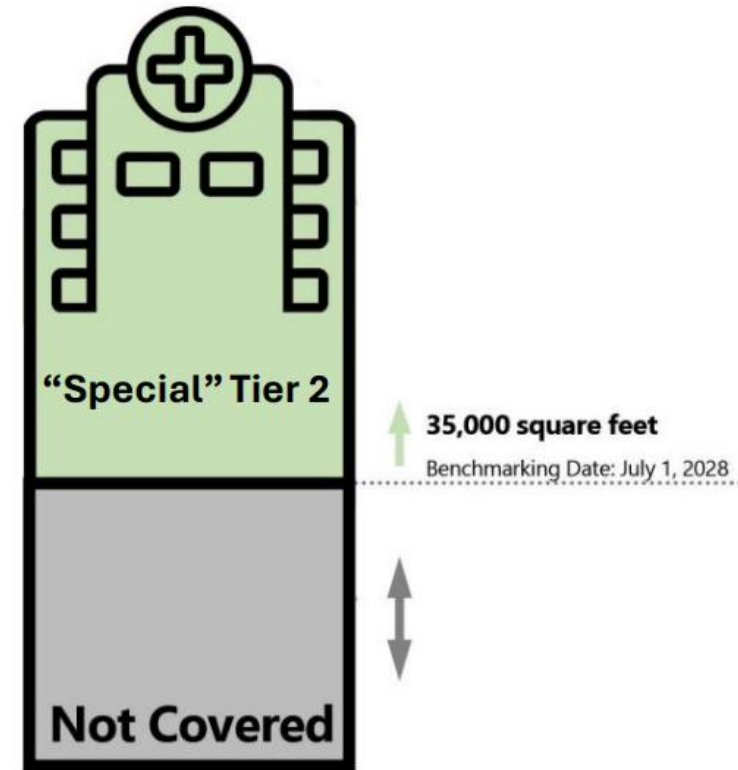
- What exemptions are available?
- What documentation is needed?
- What does ODOE look for?
- What is the process on BEAM?

Buildings Covered by OR BPS

NON-RESIDENTIAL,
HOTEL, and MOTEL*



MULTIFAMILY RESIDENTIAL,
HOSPITAL, SCHOOL, UNIVERSITY,
DORMITORY, BARRACKS, PRISON, and
RESIDENTIAL/SENIOR CARE FACILITY*



*Mixed-use buildings follow more detailed guidelines to determine their tier

OR BPS Compliance Dates

Gross Floor Area <i>excludes any parking garage area</i>	Property Type	Tier / Compliance Date
35,000 to 90,000 square feet	Nonresidential, Hotel, or Motel	Tier 1 / June 1, 2030
90,000 to 200,000 square feet	Nonresidential, Hotel, or Motel	Tier 1 / June 1, 2029
200,000 square feet and greater	Nonresidential, Hotel, or Motel	Tier 1 / June 1, 2028
20,000 to 35,000 square feet	Nonresidential, Hotel, or Motel	Regular Tier 2 / July 1, 2028
35,000 square feet and greater	Multifamily, Hospital, School, University, Dormitory, Barracks, Prison, Residential/Senior Care Facility	Special Tier 2 / July 1, 2028

OR BPS Compliance

- **Both Tier 1 and Tier 2 Buildings must benchmark**
 - Compare energy use to that of similar buildings
 - Calculate Energy Use Intensity (EUI)
 - Find Energy Use Intensity Target (EUI_t)
- **Tier 1 buildings have additional responsibilities**
 - Attest to an Operations & Maintenance (O&M) program and an Energy Management Plan (EMP)
 - **Take action to reduce energy use if EUI_t greater than EUI**
 - Perform Energy Audit / Life Cycle Cost Assessment by compliance date
 - Implement cost-effective Energy Efficiency Measures (EEMs)
- **Energy professionals needed for:**
 - Benchmarking
 - Reviewing O&M and EMP
 - Performing energy audits / LCCAs

**EUI =
Net Building
Energy Use /
Gross Floor
Area**

**EUI_t =
predetermined
EUI targets
based on
activity type**

OR BPS Exemptions

Historic Buildings are NOT exempt but do not have to install EEMs that would compromise historic integrity

- 1. Manufacturing/Industrial Space Greater Than 50 percent**
- 2. Agricultural Buildings**
- 3. Financial Hardship**
- 4. Certificate of Occupancy for Less Than 12 Months**
- 5. Physical Occupancy Less Than 50 percent**
 - Depends on percent space use/lease, not whether occupants/tenants work from home
- 6. Conditioned Floor Area Less Than Tier GFA Thresholds**

Tribal/Federal Buildings are not covered by the BPS. More information available in this [guidance](#) document.

Resources

Exemption Guidance document can be found on the knowledgebase section of BEAM's helpdesk.

BEAM helpdesk → Knowledge Base → Guidance Documents, Forms, & Tools →
OR BPS Official Guidance Documents and Downloads → BPS 002 Exemptions and
Historic Buildings

Exemption Guidance [document](#)

Manufacturing/Industrial Space greater than 50 percent

Manufacturing/Industrial Space definition:

- In accordance with the state of Oregon's adoption of the International Building Code
- Use classification of **Factory Group F** or **High Hazard Group H** over at least half the building

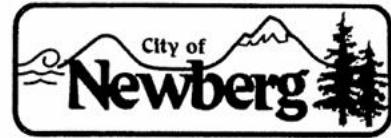
Documentation needed:

OR BPS looks specifically for **Factory Group F** or **High Hazard H** use classifications. If that designation is not on your documentation, the application will likely be DENIED. If there are multiple use classifications for a building, a floor plan should be included to show how much of the gross floor area is manufacturing/industrial.

Document examples which often note a building's use classification:

- County/municipal/local records, such as an approved/signed construction permit
- Letter from the local building department
- As-built or permitted drawings
- Annual fire-inspection document
- Relevant documents from most recent use classification supporting factory or industrial use
 - Older classifications didn't always break out Factory Group F

Example of Factory Group F



CERTIFICATE OF OCCUPANCY

PERMIT:

TYPE OF USE: COMMERCIAL

SITE
ADDRESS:

OWNER:

A CERTIFICATE IS ISSUED TODAY,

April 6, 2007

THAT SAID BUILDING MAY BE OCCUPIED

OCCUPANCY: F-2

ZONE: M-2

CONSTRUCTION TYPE: III-B

Agricultural Building

Agricultural Building definition, one of the following:

- Storing, maintaining or repairing farm or forestry machinery and equipment
- Raising, harvesting and selling crops or forest products
- Feeding, breeding, managing, and selling livestock, poultry, fur-bearing animals, or honeybees or the produce of livestock, poultry, fur-bearing animals, or honeybees
- Dairying and selling dairy products
- Any other agricultural, forestry, or horticultural use or animal husbandry, or any combination of agricultural, horticultural, or animal husbandry uses, including preparing and storing produce raised on the farm for human use and animal use, preparing, processing, and storing agricultural and forestry products and goods and disposing, by marketing or otherwise, of farm produce or forest products

An agricultural building **does not** include any of the following:

- A dwelling
- A structure used for a purpose other than growing plants in which 10 or more people are present at any one time
- A structure regulated by the State Fire Marshal pursuant to ORS chapter 476
- A structure used by the public
- A structure that is subject to the National Flood Insurance Act of 1968 (42 U.S.C 4001 to 4127), as amended, and regulations promulgated under that Act

Agricultural Building

Documentation needed:

ODOE wants to confirm that the structure is used for agriculture

Document examples which often note a building's agricultural use:

- County/municipal/local records, like approved/signed construction permit, certificate of occupancy
- Letter from the local building department
- As-built or permitted drawings
- Annual fire-inspection
- Farm insurance documentation (Commercial Farm Declarations Schedule)
- CAFO Permit from the Oregon Department of Agriculture
- Documentation validating structures were designed and constructed to enclose farm equipment, stock, or other bulk horticultural products (pre-packaging)
- Accredited farm program certification (e.g. Oregon Seed Certification Service Approved Warehouse Program, Oregon State University)

Agricultural Example

1.

Form 1014 Rev 04/19
OREGON DEPARTMENT OF AGRICULTURE
635 CAPITOL ST NE, STE 100
SALEM, OR 97301-2532
(503) 986-4550

POST IN A CONSPICUOUS PLACE

BUSINESS LOCATION

LICENSE NUMBER DATE ISSUED DATE EXPIRES LICENSE
AG- [REDACTED] CAFO General Permit - Large Tier 2
Refer to your Oregon Confined Animal Feeding Operation General Permit Number 1 for operating conditions.
Printed: 05/28/2025

2.

 **Liberty Mutual**
INSURANCE

Coverage Is Provided In:
The Ohio Casualty Insurance Company, a stock company
Domiciled in New Hampshire
175 Berkeley Street, Boston, MA 02116

Policy Number:

Policy Period:
12:01 am Standard Time
at Insured Mailing Location

**Commercial Farm
Declarations Schedule**

Named Insured _____ Agent _____

Financial Hardship

Financial Hardship definition, one of the following:

- Building on a city or county tax lien sale list over the 24 months before compliance date
- Court-appointed receiver controls the building due to financial distress
- Financial institution owns the building due to borrower's default
- Owner acquired the building via a deed in lieu of foreclosure within the 24 months before compliance date
- Building has a senior mortgage that is subject to a notice of default

Documentation needed:

Documents supporting the above definition to confirm financial hardship

Document examples:

- Tax lien sale list
- Notice of default from the financial institution
- Deed in lieu of foreclosure agreement
- Denied application for utility, state, local, or federal programs for financial reasons
- Rejection letter for a bank loan, or a failed bond or levy

Certificate of Occupancy for Less Than 12 Months

Certificate of Occupancy definition:

- Document issued by a local government agency or building department certifying a building's compliance with applicable building codes and other laws and indicating it to be in a condition suitable for occupancy

Documentation needed :

ODOE wants to see that the building did not have a certificate of occupancy **for at least 12 months before** the building's compliance date

Document examples:

- Certificate of occupancy, or an application for a certificate of occupancy

Certificate of Occupancy Example



Physical Occupancy Less Than 50 Percent

Physical Occupancy definition:

- Physical occupancy is when a building's space is leased or in use
- Considered unoccupied when at least 50 percent of Gross Floor Area is not leased or otherwise in use

Documentation needed:

ODOE wants to confirm that 50 percent or more of the building is not leased or is vacant. A space that is leased but sitting idle is considered occupied, no matter its occupant density or frequency of use.

Document examples:

- Rent rolls or lease documents showing how much space in a building is rented, leased, or otherwise occupied or in use by the building owner

Conditioned Space Less Than Tier GFA Thresholds

Conditioned Space definition:

- Conditioned space is defined as space that is not heated, cooled, or indirectly conditioned
- Heated space has heating capacity of at least 8 Btu/hr-SF in CZ 4C, at least 12 Btu/hr-SF in CZ 5B
- Cooled space has cooling capacity of at least 3.4 Btu/hr-SF
- Indirectly conditioned space is heated or cooled by adjacent spaces through mechanical ventilation or through poorly insulated walls, floors, or ceilings

Documentation needed:

ODOE wants to confirm lack of HVAC capacity throughout the building. This could drop a building from Tier 1 to Tier 2, or make a building fully exempt.

Document examples:

- Mechanical schedules from building drawings showing HVAC equipment capacity
- Photos of building, inside and out, showing HVAC equipment & nameplates or photos showing there is no HVAC equipment

Exemption Applications

New Ticket

General Inquiry Form

Claim My Building Form

Building Information Correction Form

Add a Covered Building Form

Form X: Exemption Application

Form H: Historic Building Documentation

Helpdesk Dashboard

All Tickets

Saved Searches

New Ticket

Reports

Knowledgebase

Settings

BEAM

BEAM Map

Building Performance Helpdesk

Search... Go

Oregon Department of Energy



Tickets / Create Ticket

Form X: Exemption Application

Edit

Please use this form to apply for an exemption from OR BPS. A building owner must apply to and receive approval from ODOE to be exempt. This form must be submitted at least 180 days before your compliance date.

For a detailed description of exemption types and related evidence that must be included in your request, visit our [Exemption Guidance Page](#).

Please note:

- Exempt buildings are also ineligible for BPS incentive awards.
- Historic buildings are NOT exempt from the OR BPS, though they are not required to take actions that compromise historic integrity. Please access the link above to learn more.

Disclaimer: Please note that you will not have the ability to save a draft version of this

Exemption Applications

Reason for exemption*

Agricultural use

Select type of exemption
from drop down

Type of agricultural use*

- ☐ Storing, maintaining, or repairing farm or forestry machinery and equipment
- ☐ Raising, harvesting, and selling crops or forest products
- ☐ Feeding, breeding, managing, and selling livestock, poultry, fur-bearing animals, or honeybees
- ☐ Dairying and selling dairy products
- ☐ Any other agricultural, forestry, or horticultural use or animal husbandry, or any combination thereof

Additional details

Please [click here](#) for additional information on exemptions.

Link to guidance document

Please attach: agricultural product description*

Choose File No file chosen

Attach file(s) to support exemption claim

A scenic view of the Portland skyline across the Willamette River, featuring a large steel truss bridge in the foreground and several tall skyscrapers in the background under a clear blue sky.

**Thank you
for helping to make
OR BPS a success**

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