

BUILDING EMISSIONS REDUCTION AND DISCLOSURE ORDINANCE (BERDO)

2025 REGULATIONS UPDATE PROCESS

RESPONSE TO PUBLIC COMMENT LETTERS

SECOND PUBLIC COMMENT PERIOD

This document contains staff responses for comments letters received during a public comment period regarding draft updates to BERDO Regulations and Policies and Procedures related to flexibility measure applications, third-party verification, and other BERDO procedures. This comment period opened on Friday, August 1, 2025 and ended on Tuesday, September 2, 2025 at 5:00 p.m.

During this public comment period, the Air Pollution Control Commission received one comment letter from the following organization:

- A Better City

The table below provides staff responses to summarized comments. The full comment letter can be found [here](#).

SUMMARIZED COMMENTS	SUBMITTED BY	STAFF RESPONSE
Enabling the Review Board to Grant Exemptions on Solar Requirements without a Hardship Compliance Plan		
<p>In our previous comments we highlighted a current bill, H. 4144, An Act Relative to Energy Affordability, Independence, and Innovation, that would require all behind-the-meter solar projects in Massachusetts to apply for SMART [...] A Better City agrees that waiting until we know if the Act passes makes sense, but wants to reinforce that the city understands the provision in the current bill could complicate investment in onsite renewable energy across Massachusetts in the future. Building portfolios that could more cost-effectively install onsite solar outside of Boston or the Eastern Eversource Massachusetts territory for the purpose of BERDO compliance by using RECs from those installations for buildings lacking adequate roof space to offset onsite load within BERDO-covered areas, would be limited from doing so.</p> <p>A Better City recommends that if this Act is passed, the City allows all solar SMART projects, no matter where they are located in the Commonwealth, or who the utility is, to offset onsite load in BERDO-covered buildings.</p>	A Better City	<p>Thank you for this comment. The City of Boston will continue to follow the proposed bill and reassess if any changes to BERDO requirements for local renewable energy are needed in the case that the Act is passed.</p>

Updated Projected Grid Emissions Factor

In our previous comments, A Better City expressed support for updating projected electric grid emissions factors using a semi-residual emissions factor approach to avoid double counting of renewable energy. However, although projected electric grid emissions factors would not be updated in 2025 and 2026 because "any new projections must be published two years prior to use," according to current policies and procedures, we have continued to hear from members that they need long-term certainty on emissions factors. The fact that emissions factors are completely outside of the control of building owners and are regionally determined by building portfolio standard jurisdiction by building portfolio standard jurisdiction is problematic enough for them. Given that resources have already been expended in capital planning based on the current methodology of calculating projected grid emissions factors, two years is not enough time to update that planning. Additional renewable power purchasing for RECs, for example, may prove to be advantageous but the process to create such an agreement takes a minimum of two to three years with a community of buyers.

A Better City recommends that compliance with either old or new electric grid emissions factors be allowed through 2030, to allow building owners time to update their capital plans.

A Better City

Thank you for this comment.

We recognize that the updated projected grid emissions factors represent a change for building owners for the following compliance years. However, the updated projected grid emissions factors will provide more certainty for building owners in the long-term by standardizing and aligning annual grid emissions factor and projected grid emissions factor calculations.

The BERDO Team is committed to creating consistency in how emissions compliance is calculated. Enabling building owners to choose from multiple grid emissions factors through 2030 is not only impractical, but will create more confusion and uncertainty among building owners.

We reiterate that projected grid emissions factors will follow a predictable review and update timeline. Policies and Procedures require projections to be reviewed "at least every five years" and "any new projections shall be published at least two years prior to use".