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March 11, 2022

Submitted electronically via email.

Air Pollution Control Commission
Boston City Hall
Environment Department, Room 709
1 City Hall Square
Boston, MA 02201

RE: Redrafted BERDO Phase 1 Regulations

Dear Commissioners:

The Conference of Boston Teaching Hospitals, on behalf of our 12 member hospitals, appreciates the opportunity to comment on the City of Boston's redrafted Phase 1 regulations for the implementation of the Boston Emissions Reduction and Disclosure Ordinance (BERDO).

As you know, COBTH's member hospitals provide the highest quality medical care, in addition to training the next generation of physicians and other health providers, and conducting cutting-edge medical research. COBTH previously comments on draft regulations and noted that it looked forward to reviewing additional information that may be required under the City's proposed Supplemental Reporting Form. After reviewing the draft Supplemental Reporting Form, COBTH offers the following comments. We also note that COBTH supports the more detailed comments on this matter submitted by LMEC.

Power Purchase Agreements

In addition to needing clarification about the interchangeability of the terms Power Purchase Agreement and Virtual Power Purchase Agreements, COBTH underscores the comments from LMEC about the need to account for the timing under which these agreements are executed. PPAs and VPPAs often have a long delay between contract execution and the project going into service, with some of these processes taking several years. Due to this time delay, we recommend that any future requirements on PPAs and VPPAs be applied prospectively, rather than retrospectively.

Additionally, we are concerned about the proposed requirement that institutions upload the material terms of contracts as part of the supplemental reporting form. Relevant information can be provided in narrative format without including the material terms of the contract and avoid violating any contract confidentiality provisions.

Backup Generator Reporting

As noted in prior comments, emergency backup generation used at COBTH's member hospitals is required to be used as a condition of receiving accreditation, and is only used for reliability

purposes for supporting life safety systems and biomedical research. The number and network arrangement of emergency backup generators can vary widely and health care institutions, making it challenging, and in some cases not possible, to report detailed usage information by generator or by building. Consistent with the reporting requirements in BERDO 2.0, COBTH institutions expect to be able to report on: the number of emergency backup generators present, the number of buildings and/or the amount of square footage served by the generators, the general testing schedule for the generators, the amount of fuel purchased for the generators on an annual basis (which is substantially equivalent to the amount of fuel actually used), and that the generators are used only to ensure reliable operations by providing backup power during emergency outages or as a condition to receiving accreditation.

We look forward to continuing to engage with the Environment Department and the APCC as the regulatory process advances, and look forward to the opportunity to provide additional feedback to ensure the City can appropriately address the unique challenges our members face in meeting BERDO's performance standards. Please do not hesitate to be in touch if there is any additional information we can provide.

Sincerely,

A handwritten signature in blue ink that reads "Patricia McMullin". The signature is written in a cursive style with a large initial "P".

Patricia McMullin
Executive Director
Conference of Boston Teaching Hospitals