



American Council of Engineering Companies of New York

**Comments on proposed rule
Regarding Compliance with Article 320 of Chapter 3 of Title 28 of the New York City
Administrative Code
November 7, 2024**

The American Council of Engineering Companies of New York (ACEC New York) is an association representing nearly 300 engineering and affiliate firms with 30,000 employees in New York. Our members design the mechanical, electrical, energy performance, structural, plumbing, civil, environmental, fire protection and technology systems of buildings and infrastructure for public and private owners statewide. **Our Metro Energy Code Committee reviewed the proposed rule and submits the following observation and recommendations:**

Regarding the proposed co-gen rule, our member firms have run calculations on various practical scenarios.

We find that the rule is helpful for co-gen plants, and fundamentally see that it will help current co-gen owners with their Local Law 97-regulated emissions while also fostering grid stability.

We also found, however, that *the more heat that is recovered, the higher your reported emissions will be.*

Having higher emissions with increased heat recovery is counterproductive to the intent of co-gen plants, and we think it will create a mis-incentive for owners to minimize their heat recovery to be no higher than the 55% minimum amount to be qualified under this rule.

As such, we recommend that the rule be modified so that once the overall thermal efficiency of 55% is demonstrated, any additional thermal energy recovered be counted as 0 emissions.

Reference calcs:

CI Graham Sustainable Engineering, PLLC		11/5/2024	
Cogen Emissions Calcs			
Note based on NW calcs at face value			
	tCO2e/kBtu		
Steam Coeff	0.00004493		
Natural Gas Coeff.	0.00005311		
		Current Rule	Proposed Rule
			limited to 55%
Cogen Gas Use		4,147	NA
Electric Reduction		(2,087)	(2,087)
Avoided Steam Use			
	HPSG	(908)	(908)
	Jacket	(1,065)	(1,065)
Emissions - Cogen Outputs			
	Electric Output		2,087
	HPSG Output		379
	Jacket Output		443
Net Emissions from Cogen		87	(1,150)