

(2) THE REGULATIONS ADOPTED UNDER THIS SUBSECTION SHALL PROVIDE THAT THE ENERGY USE SHALL BE NO MORE THAN 65% FOR NEW CONSTRUCTION, OR 75% IN THE CASE OF REHABILITATION, OF THE ENERGY USE ATTRIBUTABLE TO A REFERENCE BUILDING WHICH MEETS THE REQUIREMENTS OF APPLICABLE ENERGY EFFICIENCY STANDARDS.

~~(2) (I) ENERGY USE FOR TENANT SPACE SHALL BE NO MORE THAN 65% IN THE CASE OF NEW CONSTRUCTION, OR 75% IN THE CASE OF REHABILITATION, OF THE ENERGY USE ATTRIBUTABLE TO A REFERENCE EXAMPLE OF TENANT SPACE CONSTRUCTION OR REHABILITATION WHICH MEETS THE REQUIREMENTS OF THE APPLICABLE ENERGY EFFICIENCY STANDARDS.~~

~~(II) ALL APPLIANCES AND ANY HEATING, COOLING, AND WATER HEATING EQUIPMENT USED IN THE TENANT SPACE SHALL MEET APPLICABLE ENERGY EFFICIENCY STANDARDS.~~

~~(3) (I) THE TENANT SPACE SHALL COMPLY WITH ALL APPLICABLE BUILDING CODE REQUIREMENTS AND ENVIRONMENTAL REGULATIONS AND, WITH RESPECT TO PROJECTS OTHER THAN NEW CONSTRUCTION, ALL EXISTING ENVIRONMENTAL HAZARDS SHALL BE IDENTIFIED AND MANAGED IN ACCORDANCE WITH APPLICABLE LAWS, REGULATIONS, AND INDUSTRY GUIDELINES.~~

~~(II) IN THE CASE OF BUILDINGS PRIMARILY USED FOR NONRESIDENTIAL PURPOSES, VENTILATION AND EXCHANGE OF INDOOR AND OUTDOOR AIR SHALL MEET THE STANDARDS ESTABLISHED IN REGULATIONS ADOPTED BY THE DEPARTMENT OF THE ENVIRONMENT, IN CONSULTATION WITH THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.~~

~~(III) FOR BUILDINGS IN WHICH SMOKING IS PERMITTED, THE TAXPAYER SHALL ENSURE THAT, IF SMOKING IS PERMITTED IN THE TENANT SPACE, IT IS PERMITTED ONLY IN AREAS IN WHICH THE AIR VENTILATION AND CIRCULATION IS SEPARATE FROM THAT FOR NONSMOKING AREAS.~~

~~(4) THE VENTILATION SYSTEM COMPONENTS AND PATHWAYS:~~

~~(I) SHALL BE PROTECTED DURING CONSTRUCTION OR REHABILITATION FROM CONTAMINATION IN ACCORDANCE WITH AN INDOOR AIR QUALITY MANAGEMENT PLAN FOR THE CONSTRUCTION OR REHABILITATION PROCESS THAT MEETS THE STANDARDS ESTABLISHED IN REGULATIONS ADOPTED BY THE DEPARTMENT OF THE ENVIRONMENT, IN CONSULTATION WITH THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, UNDER SUBSECTION (N) OF THIS SECTION; OR~~

~~(II) SHALL BE CLEANED PRIOR TO OCCUPANCY.~~

~~(5) (I) A LICENSED ENGINEER, CERTIFIED INDUSTRIAL HYGIENIST, OR OTHER LICENSED OR CERTIFIED PROFESSIONAL APPROVED BY THE SECRETARY OF THE ENVIRONMENT, SHALL CONDUCT INDOOR AIR QUALITY TESTING WITH RESPECT TO THE TENANT SPACE IMMEDIATELY FOLLOWING OCCUPANCY AND ON AN ANNUAL BASIS, IN EACH OF THE 4 SUCCESSIVE YEARS THEREAFTER, TO MONITOR~~