LANL Statutory Checklist: New Construction and Modernization (for use with LEED Silver or Gold Certification)

DOE Departmental Element \_National Nuclear Security Administration Laboratory, Campus, Field Office, or Program Office: \_Los Alamos National Laboratory

Facility Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Facility Address: \_Los Alamos, NM\_

Assessor Name and Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date of Assessment: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Instructions:**

The Guiding Principles New Construction and Modernization Checklist is a tool to demonstrate that a new construction or modernization project meets the intent of the Guiding Principles for Sustainable Federal Buildings (GP). Criteria on the checklist include both design elements and operational procedures that can be used to demonstrate continued operation as a sustainable Federal building after construction. Compliance with the GP may be achieved through third party certification such as LEED® v4 for Building Design and Construction (BD+C), Silver Level or above. HOWEVER, these Third-Party certifications may or may not contain references to the statutory and regulatory requirements and a project must ensure that the building-level statutory and regulatory requirements are met **in addition to the Third-Party Certification**.

This checklist contains 11 criteria, supported by statutory and regulatory requirements, to assess and demonstrate that the building meets the statutes that are not considered met when certifying LEED® Silver or above. To qualify as a sustainable Federal building the building must meet all 11 of the criteria as well as LEED® Silver at a minimum. **If a project does not achieve LEED® Silver, the full GP checklist must be completed.**

If the building’s inherent function, mission, safety, or designation precludes it from meeting the minimum threshold of requisite criteria in a life cycle cost-effective manner, the building would not qualify as a sustainable Federal building under this Guidance. Instead, the building will be designated as a Federal high-performance building (42 U.S.C. § 17061(13)). All Federal statutes applicable to the project or building must be met, regardless of whether the building is able to achieve the minimum criteria to be qualified as a Sustainable Federal Building.

**Reference Key:**

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| [C/I] | Criteria where campus-wide or installation-wide protocols, policies, contracts may be used to demonstrate, upon assessment, that the criteria were met at the building level are indicated on the checklist with a [C/I]. |

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|  | Comments |
| 1.0 - Employ Integrated Design Principles |
| NC&M Criteria 1.2(C/I) | Sustainable Siting |
| Follow all relevant requirements of 41 CFR § 102-76.20 of the [Federal Management Regulation](https://www.gsa.gov/policy-regulations/regulations/federal-management-regulation-fmr) to make a positive contribution to the surrounding landscape, and comply with the National Environmental Policy Act of 1969, as amended, [42 U.S.C. 4321](https://uscode.house.gov/view.xhtml?req=4321&f=treesort&fq=true&num=260&hl=true&edition=prelim&granuleId=USC-prelim-title42-section4321) et seq., and the National Historic Preservation Act of 1966, as amended, [54 U.S.C. Subtitle III, Division A.](https://uscode.house.gov/view.xhtml?hl=false&edition=prelim&req=granuleid%3AUSC-prelim-title54-subtitle3-divisionA-node276&num=0&saved=%7CZ3JhbnVsZWlkOlVTQy1wcmVsaW0tdGl0bGU1NC1zdWJ0aXRsZTMtZGl2aXNpb25BLWZyb250%7C%7C%7C0%7Cfalse%7Cprelim) |   [ ]  Yes |  [ ]  No |  |
| *And answer YES to* ***ONE*** *of the following options to meet this Guiding Principle.* |
| 1. In alignment with sustainable siting best practices, assess all relevant opportunities for enhancements to the site sustainability and engage building occupants and other stakeholders utilizing the site. The specific actions of the site selection and planning stage should reflect the complexity of the proposed building and include, as appropriate, the following: 1) avoid development of prime farmland; 2) preserve areas with permeable soils; 3) avoid or, if not possible, minimize potential harm to or within the floodplain; 4) protect and conserve existing landscapes, wetlands, forest, and wilderness areas; 5) minimize site disturbance; 6) preserve threatened or endangered species and their habitats, including pollinators’ habitats; 7) improve linkages and connections to surrounding destinations and neighborhoods; 8) use historic properties, especially those located in central business districts; and 9) incorporate appropriate security design parameters. Incorporate these environmental considerations through a systematic interdisciplinary approach, and balance these concerns with cost and security. Agencies can reference additional siting resources, including [GSA’S Sustainable Facilities Tool (SFTool)](https://sftool.gov/learn/about/46/sustainable-sites) and the [Environmental Protection Agency (EPA’s) Smart Growth—Location and Green Building site,](https://www.epa.gov/smartgrowth/location-and-green-building) the [U.S. Department of Agriculture’s (USDA) pollinators resources,](https://www.usda.gov/pollinators) and for projects involving historic properties, the [Secretary of the Interior’s Standards for Rehabilitation & Illustrated Guidelines on](https://www.nps.gov/tps/standards/rehabilitation/guidelines/index.htm) [Sustainability for Rehabilitating Historic Buildings.](https://www.nps.gov/tps/standards/rehabilitation/guidelines/index.htm)
 | [ ] Yes | [ ] No |  |
| 1. Conform to 2018 IgCC [Section 501.3.1 (5.3.1) Site Selection](https://codes.iccsafe.org/content/IGCC2018/chapter-5-site-sustainability) and [501.3.2 (5.3.2) Predesign](https://codes.iccsafe.org/content/IGCC2018/chapter-5-site-sustainability) [Site Inventory and Assessment.](https://codes.iccsafe.org/content/IGCC2018/chapter-5-site-sustainability)
 | [ ] Yes | [ ] No |  |

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| NC&M Criteria 1.3 | Stormwater Management |
| *Answer YES to* ***ONE*** *of the following options to meet this Guiding Principle.* |
| 1. For new construction or modernization projects disturbing a surface area of 5,000 or more square feet, use planning, design, construction, and maintenance strategies to maintain or restore the predevelopment hydrology of the property in terms of temperature, rate, volume, and duration of flow, in accordance with statutory requirements ([42 U.S.C. §](https://uscode.house.gov/view.xhtml?req=%28title%3A%20section%3A17094%20edition%3Aprelim%29%20OR%20%28granuleid%3AUSC-prelim-title-section17094%29&f=treesort&edition=prelim&num=0&jumpTo=true) [17094](https://uscode.house.gov/view.xhtml?req=%28title%3A%20section%3A17094%20edition%3Aprelim%29%20OR%20%28granuleid%3AUSC-prelim-title-section17094%29&f=treesort&edition=prelim&num=0&jumpTo=true)). Low impact development (LID) infrastructure solutions can be utilized to help achieve this criteria.
 | [ ] Yes | [ ] No |  |
| 1. For new construction or modernization projects disturbing a surface area fewer than 5,000 square feet, use site planning, design, construction, and maintenance strategies such as low impact development (LID) to manage on-site stormwater and to maintain or restore hydrologic conditions after development, to the maximum extent that is technically practicable.
 | [ ] Yes | [ ] No |  |
| 1. Conform to 2018 IgCC [Section 501.3.4 (5.3.4) Stormwater Management.](https://codes.iccsafe.org/content/IGCC2018/chapter-5-site-sustainability)
 | [ ] Yes | [ ] No |  |
| ***Alternative:*** |
| Ensure optional credit SSc4: Rainwater Management is obtained. | [ ] Yes | [ ] No |  |

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| 2.0 Optimize Energy Performance |  |
| NC&M Criteria 2.1 | Energy Efficiency |
| Ensure compliance with Federal energy efficiency performance requirements for new construction in accordance with § 109 of the Energy Policy Act of 2005 ([42 U.S.C. § 6834(a)(3)(A)](https://uscode.house.gov/view.xhtml?hl=false&edition=2012&req=granuleid%3AUSC-prelim-title42-section6834&f=treesort&fq=true&num=0)) and DOE’s regulations as established under [10 CFR parts 433, subpart A,](https://www.ecfr.gov/cgi-bin/text-idx?SID=842ceb32cb7a24eb33bf707adec7c82d&mc=true&node=pt10.3.433&rgn=div5&sp10.3.433.a) and [10 CFR parts 435, subpart A.](https://www.ecfr.gov/cgi-bin/text-idx?SID=89b778b7dfdc859bfc94de80ccb25fc8&mc=true&node=pt10.3.435&rgn=div5)Ensure installation of [ENERGY STAR](https://www.energystar.gov/products) and [FEMP-designated products](https://www.energy.gov/eere/femp/search-energy-efficient-products) in all procurements involving energy-consuming products and services, in accordance with [42 U.S.C § 8259b](https://uscode.house.gov/view.xhtml?hl=false&edition=prelim&req=granuleid%3AUSC-prelim-title42-section8259b&f=treesort&fq=true&num=0&saved=%7CZ3JhbnVsZWlkOlVTQy0yMDEyLXRpdGxlNDItc2VjdGlvbjgyNTM%3D%7CdHJlZXNvcnQ%3D%7CdHJ1ZQ%3D%3D%7C0%7Cfalse%7C2012) and [10 CFR § 436.40–](https://www.ecfr.gov/cgi-bin/text-idx?SID=89b778b7dfdc859bfc94de80ccb25fc8&mc=true&node=pt10.3.436&rgn=div5) [436.43.](https://www.ecfr.gov/cgi-bin/text-idx?SID=89b778b7dfdc859bfc94de80ccb25fc8&mc=true&node=pt10.3.436&rgn=div5) | [ ] Yes | [ ]  No |  |
| ***Alternative:*** |
| Ensure 15 points are obtained within optional LEED credit EAc2: Optimize Energy Performance AND Ensure installation of [ENERGY STAR](https://www.energystar.gov/products) and [FEMP-designated products](https://www.energy.gov/eere/femp/search-energy-efficient-products) in all procurements involving energy-consuming products and services, in accordance with [42 U.S.C § 8259b](https://uscode.house.gov/view.xhtml?hl=false&edition=prelim&req=granuleid%3AUSC-prelim-title42-section8259b&f=treesort&fq=true&num=0&saved=%7CZ3JhbnVsZWlkOlVTQy0yMDEyLXRpdGxlNDItc2VjdGlvbjgyNTM%3D%7CdHJlZXNvcnQ%3D%7CdHJ1ZQ%3D%3D%7C0%7Cfalse%7C2012) and [10 CFR § 436.40–](https://www.ecfr.gov/cgi-bin/text-idx?SID=89b778b7dfdc859bfc94de80ccb25fc8&mc=true&node=pt10.3.436&rgn=div5) [436.43.](https://www.ecfr.gov/cgi-bin/text-idx?SID=89b778b7dfdc859bfc94de80ccb25fc8&mc=true&node=pt10.3.436&rgn=div5) | [ ] Yes | [ ] No |  |
| NC&M Criteria 2.3(C/I) | Renewable Energy |
| Evaluate applicable renewable electric energy strategies related to the project or building that could support, as needed, agency progress toward renewable energy goals where cost-effective, per [42](https://uscode.house.gov/view.xhtml?req=(title%3A42%20section%3A15852%20edition%3Aprelim)%20OR%20(granuleid%3AUSC-prelim-title42-section15852)&f=treesort&edition=prelim&num=0&jumpTo=true) [U.S.C. § 15852(a).](https://uscode.house.gov/view.xhtml?req=(title%3A42%20section%3A15852%20edition%3Aprelim)%20OR%20(granuleid%3AUSC-prelim-title42-section15852)&f=treesort&edition=prelim&num=0&jumpTo=true)*[Campus/Installation-wide approach can be utilized if the agency has assessed and can verify that the building will directly benefit from the renewable energy system. Alternatively, the agency should develop an internal energy accounting or tracking system to apportion renewable energy or attributes to the building to avoid any double counting.]* | [ ] Yes | [ ] No |  |
| *And answer YES to* ***ONE*** *of the following options to meet this Guiding Principle.* |
| 1. Implement, as appropriate, life cycle cost-effective on-site renewable electric or thermal energy projects.

Alternatively, utilize alternative energy systems such as waste heat, combined heat and power (CHP), or fuel cell energy systems, where life cycle cost-effective.If on-site renewable energy or alternative energy systems are not technically feasible or life cycle cost-effective, the agency should establish an internal energy accounting or tracking system to apportion power purchases from off-site renewable sources or renewable energy certificates (RECs) to the building, as aligned with agency plans. | [ ] Yes | [ ] No |  |
| 1. Where appropriate and life cycle cost-effective, not less than 30 percent of the hot water demand is to be met through the installation and use of solar hot water heaters, per [42](https://uscode.house.gov/view.xhtml?hl=false&edition=2012&req=granuleid%3AUSC-prelim-title42-section6834&f=treesort&fq=true&num=0) [U.S.C § 6834(a)(3)(A)(iii](https://uscode.house.gov/view.xhtml?hl=false&edition=2012&req=granuleid%3AUSC-prelim-title42-section6834&f=treesort&fq=true&num=0)).
 | [ ] Yes | [ ] No |  |
| 1. Conform to 2018 IgCC [Section 701.4.1.1 (7.4.1.1) On-Site Renewable Energy Systems](https://codes.iccsafe.org/content/IGCC2018/chapter-7-energy-efficiency) or equivalent, with the exception that there is no minimum energy production (kBtu/ft2) requirement.
 | [ ] Yes | [ ] No |  |

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| 3.0 - Protect and Conserve Water |
| NC&M Criteria 3.1 | Indoor Water Use |
| For new construction where water is used to achieve energy efficiency, water conservation measures must be applied to the extent that they are life cycle cost-effective in accordance with 10 CFR Parts 433 and 435. In addition to the use of water conservation technologies otherwise required by [42](http://uscode.house.gov/view.xhtml?hl=false&edition=2012&req=granuleid%3AUSC-prelim-title42-section6834&f=treesort&fq=true&num=0) [U.S.C. § 6834,](http://uscode.house.gov/view.xhtml?hl=false&edition=2012&req=granuleid%3AUSC-prelim-title42-section6834&f=treesort&fq=true&num=0) water conservation technologies are to be applied to the extent that the technologies are life cycle cost-effective for new construction and modernization projects, in accordance with [42](http://uscode.house.gov/view.xhtml?hl=false&edition=2012&req=granuleid%3AUSC-prelim-title42-section6834&f=treesort&fq=true&num=0) [U.S.C. § 6834(a)(3)(D)(vii).](http://uscode.house.gov/view.xhtml?hl=false&edition=2012&req=granuleid%3AUSC-prelim-title42-section6834&f=treesort&fq=true&num=0)Eliminate the use of single-pass (also called "once-through") cooling equipment using potable water and optimize cooling tower operations to minimize makeup water.Agencies should refer to [EPA's WaterSense,](https://www.epa.gov/watersense) [GSA’s SFTool: Water,](https://sftool.gov/learn#learn-water) and [DOE-FEMP’s Water Efficiency in](https://www.energy.gov/eere/femp/water-efficiency-federal-buildings-and-campuses) [Federal Buildings and Campuses](https://www.energy.gov/eere/femp/water-efficiency-federal-buildings-and-campuses) resources for additional details on available water conservation technologies and best management practices. | [ ] Yes | [ ] No |  |

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| 4.0 - Enhance the Indoor Environment |
| NC&M Criteria 4.1 | Ventilation and Thermal Comfort |
| *Answer YES to* ***ONE*** *of the following options to meet this Guiding Principle.* |
| 1. In accordance with 41 CFR §§ 102-74.195 and 102-74.185 of the [Federal Management](https://www.gsa.gov/policy-regulations/regulations/federal-management-regulation-fmr) [Regulation,](https://www.gsa.gov/policy-regulations/regulations/federal-management-regulation-fmr) comply with all ventilation and thermal comfort requirements. Utilize the most current version of ASHRAE “Ventilation for Acceptable Indoor Air Quality” Standard 62.1 or 62.2 and ASHRAE 55 "Thermal Environmental Conditions for Human Occupancy" as specified by the Federal Management Regulation. Agencies should refer to the [GSA’s SFTool](https://sftool.gov/learn/about/626/enhancing-health-indoor-air) [Enhancing Health with Indoor Air](https://sftool.gov/learn/about/626/enhancing-health-indoor-air) resources on enhancing indoor air quality.
 | [ ] Yes | [ ] No |  |
| 1. Conform to 2018 IgCC [Sections 801.3.1 (8.3.1) Indoor Air Quality](https://codes.iccsafe.org/content/IGCC2018/chapter-8-indoor-environmental-quality-ieq-) and [801.3.2 (8.3.2)](https://codes.iccsafe.org/content/IGCC2018/chapter-8-indoor-environmental-quality-ieq-) [Thermal Environmental Conditions for Human Occupancy.](https://codes.iccsafe.org/content/IGCC2018/chapter-8-indoor-environmental-quality-ieq-)
 | [ ] Yes | [ ] No |  |
| NC&M Criteria 4.2 | Daylighting and Lighting Controls |
| Design and construct the building to meet and maintain all required illumination levels, in accordance with 41 CFR § 102-74.180 of the [Federal Management Regulation](https://www.gsa.gov/policy-regulations/regulations/federal-management-regulation-fmr), and maximize the use of automatic dimming controls or accessible manual controls in regularly occupied spaces. | [ ]  Yes | [ ]  No |  |
| *And answer YES to* ***ONE*** *of the following options to meet this Guiding Principle.* |
| 1. Improve access to and benefits from daylight by ensuring regularly occupied spaces along the exterior wall have fenestration, and control solar gain, daylight transmittance, and glare. If the building cannot achieve adequate daylighting due to mission or security needs, utilize circadian-effective lighting based on computer analysis or simulation tools to design optimal lighting conditions for the regularly occupied spaces. Evaluate and assess occupant workplace to allow more open space around windows, except where not appropriate because of building function, mission, or structural constraints.
 | [ ]  Yes | [ ]  No |  |
| 1. Conform to 2018 IgCC [Sections 801.3.7 (8.3.7) Glare Control, 801.4.1.1.1 (8.4.1.1.1)](https://codes.iccsafe.org/content/IGCC2018/chapter-8-indoor-environmental-quality-ieq-) [Minimum Daylight Area,](https://codes.iccsafe.org/content/IGCC2018/chapter-8-indoor-environmental-quality-ieq-) and [801.4.1.2 (8.4.1.2) Minimum Sidelighting Effective Aperture](https://codes.iccsafe.org/content/IGCC2018/chapter-8-indoor-environmental-quality-ieq-) [for Office Spaces and Classrooms,](https://codes.iccsafe.org/content/IGCC2018/chapter-8-indoor-environmental-quality-ieq-) and [801.4.1.3 (8.4.1.3) Shading for Offices;](https://codes.iccsafe.org/content/IGCC2018/chapter-8-indoor-environmental-quality-ieq-) or [801.5.1](https://codes.iccsafe.org/content/IGCC2018/chapter-8-indoor-environmental-quality-ieq-) [(8.5.1) Daylight Simulation.](https://codes.iccsafe.org/content/IGCC2018/chapter-8-indoor-environmental-quality-ieq-)
 | [ ]  Yes | [ ]  No |  |

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| NC&M Criteria 4.4(C/I) | Radon Mitigation |
| *Answer YES to* ***ONE*** *of the following options to meet this Guiding Principle.* |
| 1. In accordance with 41 CFR § 102-80.20 of the [Federal Management Regulation,](https://www.gsa.gov/policy-regulations/regulations/federal-management-regulation-fmr) test for radon and mitigate high levels to maintain a level at or below 4 pCi/L (picocuries/liter).
 | [ ] Yes | [ ] No |  |
| 1. Conform to 2018 IgCC [Section 1001.3.1.9 (10.3.1.9) Soil-Gas Control.](https://codes.iccsafe.org/content/IGCC2018/chapter-10-construction-and-plans-for-operation)
 | [ ] Yes | [ ] No |  |

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| 5.0 - Reduce the Environmental Impact of Materials |
| NC&M Criteria 5.1 | Materials - Recycled Content |
| Use Resource Conservation and Recovery Act (RCRA) section 6002 compliant products that meet or exceed [EPA’s Comprehensive Procurement Guideline Program,](https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program) which provides recycled content recommendations for building construction, modifications, operations, and maintenance, in accordance with [42 U.S.C. § 6962](https://uscode.house.gov/view.xhtml?req=42%2BU.S.C.%2B6962&f=treesort&fq=true&num=7&hl=true&edition=prelim&granuleId=USC-prelim-title42-section6962) et seq. | [ ] Yes | [ ] No |  |
| NC&M Criteria 5.2 | Materials - Biobased Content |
| Use [U.S. Department of Agriculture (USDA) BioPreferred](https://www.biopreferred.gov/BioPreferred/) products, which are designated products with the highest content level per USDA’s biobased content recommendations, in accordance with [7](https://uscode.house.gov/view.xhtml?req=8102&f=treesort&fq=true&num=6&hl=true&edition=prelim&granuleId=USC-prelim-title7-section8102) [U.S.C. § 8102.](https://uscode.house.gov/view.xhtml?req=8102&f=treesort&fq=true&num=6&hl=true&edition=prelim&granuleId=USC-prelim-title7-section8102) | [ ]  Yes | [ ]  No |  |
| NC&M Criteria 5.4(C/I) | Ozone Depleting Substances |
| *Answer YES to* ***ONE*** *of the following options to meet this Guiding Principle.* |
| 1. Ensure compliance with [42 U.S.C. § 7671k](https://uscode.house.gov/view.xhtml?req=7671k&f=treesort&fq=true&num=3&hl=true&edition=prelim&granuleId=USC-prelim-title42-section7671k) and [42 U.S.C. § 7671*l*,](https://uscode.house.gov/view.xhtml?req=7671k&f=treesort&fq=true&num=4&hl=true&edition=prelim&granuleId=USC-prelim-title42-section7671l) concerning the procurement of safe alternatives for ozone depleting substances. Maximize the use of safe alternatives, where [EPA’s Significant New Alternative Policy](https://www.epa.gov/snap) (SNAP) Program has identified acceptable substitutes and alternatives.

Refer to EPA's SNAP regulations, 40 CFR part 82, which list substitutes that have been determined unacceptable, acceptable to use conditions, and acceptable subject to narrowed use limits. | [ ]  Yes | [ ]  No |  |
| 1. Conform to 2018 IgCC [Section 901.3.3 (9.3.3) Refrigerants.](https://codes.iccsafe.org/content/IGCC2018/chapter-9-materials-and-resources)
 | [ ] Yes | [ ] No |  |

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| NC&M Criteria 5.5 | Hazardous Waste |
| Ensure compliance with all relevant hazardous waste **construction or operational** activities that are covered by RCRA subtitle C and subtitle I and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), per [42 U.S.C. § 9601](https://uscode.house.gov/view.xhtml?req=9601&f=treesort&fq=true&num=76&hl=true&edition=prelim&granuleId=USC-prelim-title42-section9601) et seq. and its implementing regulations at [40 CFR Parts 239-282.](https://www.epa.gov/rcra/resource-conservation-and-recovery-act-rcra-regulations)This criterion is achieved so long as it can be demonstrated that the building has a program and procedure to manage hazardous waste, or the building does not generate, store, treat, or dispose of hazardous waste. (40 CFR §§ 260.10 and 261.3). | [ ]  Yes | [ ]  No |  |

Guiding Principles New Construction/Modernization Summary Checklist

DOE Departmental Element \_National Nuclear Security Administration

Laboratory, Campus, Field Office, or Program Office: \_Los Alamos National Laboratory

Facility Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Facility Address: \_Los Alamos, NM\_

Assessor Name and Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of Assessment: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

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|  | YES | NO |
| 1.0 - Employ Integrated Design Principles |
| 1.2: Sustainable Siting |  |  |
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| 2.0 - Optimize Energy Performance |
| 2.1: Energy Efficiency |  |  |
| 2.3: Renewable Energy |  |  |
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| 3.0 - Protect and Conserve Water |
| 3.1: Indoor Water Use |  |  |
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| 4.0 – Enhance the Indoor Environment |
| 4.1: Ventilation and Thermal Comfort |  |  |
| 4.2: Daylighting and Lighting Controls |  |  |
| 4.4: Radon Mitigation |  |  |
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| 5.0 - Reduce the Environmental Impact of Materials |
| 5.1: Materials - Recycled Content |  |  |
| 5.2: Materials - Biobased Content |  |  |
| 5.4: Ozone Depleting Substances |  |  |
| 5.5: Hazardous Waste |  |  |

Notes: