

A RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend the District Department of the Environment Establishment Act of 2005 to clarify that this act does not apply to the repair, reconstruction or replacement of components or units of existing space heating and cooling or water heating systems that rely on the combustion of natural gas, oil, or other fossil fuels which will allow current heating and cooling systems reliant on fossil fuels to be maintained until the system is replaced.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Climate Commitment Clarification Emergency Declaration Resolution of 2024”.

Sec. 2. (a) There exists an immediate need to amend the District Department of the Environment Establishment Act of 2005 to clarify that the act does not prohibit District government from repairing, reconstructing, or replacing components or units of existing space heating and cooling or water heating systems that rely on the combustion of fossil fuels. Without existing system maintenance, residents will be at risk of significant delays in repairs.

(b) The act currently does not distinguish between the installation of new fossil-fuel systems and repairing of current fossil-fuel component parts or units of a system. Although the District government intends to replace fossil fuel-based systems with all-electric systems whenever feasible, District government must be able to repair or replace component parts of a current fossil-fuel system that are in disrepair.

33 (c) As of today, there are approximately 117 District of Columbia Public Schools (DCPS)  
34 locations managed by DGS containing 162 boiler systems that need to be maintained throughout  
35 the winter season and beyond to accommodate the health and safety of students, staff, visitors,  
36 and all residents. Other building clusters include the following number of boilers: 33 in  
37 Department of Parks and Recreation; 10 in Department of Human Services; 22 in Fire and  
38 Emergency Services; 20 in Metropolitan Police Department; and 28 in the Municipal cluster.

39 (d) Replacing fossil-fuel systems as part of a modernization requires that several key  
40 variables be in place prior to making changes to the building.

41 (1) First, DGS must ensure that energy efficient replacements are available within  
42 the regional or designated marketplace, including ensuring that replacements are accessible to  
43 source and ship within the construction timeline, and within applicable budget to acquire.

44 (2) Secondly, to manage the lifetime of maintenance, DGS must ensure that all  
45 designated Boiler Plant Operators (BPO) and other Facilities Management Division (FMD)  
46 personnel are sufficiently trained in how to maintain and operate all new equipment.

47 (3) Lastly, as the construction environment, especially for our schools may not be  
48 suitable for students and staff or other District employees, and residents, DGS must work with  
49 client agencies to conduct community engagement to raise awareness of and coordinate swing  
50 space locations. This process, without sufficient planning or budget formation, would cause  
51 significant disruption to the operational environments across the District.

52 Sec. 3. The Council of the District of Columbia finds that the circumstances in section 2  
53 constitute emergency circumstances making it necessary that Climate Commitment Clarification  
54 Emergency Amendment Act of 2024 be adopted after a single reading and retroactively  
55 applicable as of January 1, 2025.

Sec. 4. This resolution shall take effect immediately.

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