February 29, 2024

C.T. Wilson, Chair
Maryland House Economic Matters Committee
Room 231, House Office Building
6 Bladen St.
Annapolis, MD 21401

American Clean Power & MAREC Action: HB 468, FWA

Dear Chairman Wilson and members of the House Economic Matters Committee:

The American Clean Power Association (ACP) is the leading voice of today's multi-tech clean energy industry, representing over 800 energy storage, wind, utility-scale solar, green hydrogen, and transmission companies. ACP is committed to meeting America's national security, economic and climate goals with fast-growing, low-cost, and reliable domestic power.

MAREC Action is a coalition of utility-scale solar, wind, and battery storage developers, wind turbine and solar panel manufacturers, and public interest organizations dedicated to promoting the growth and development of renewable energy in Maryland and across the PJM grid.

On behalf of both our organizations, thank you for the opportunity to provide testimony on HB 468. This legislation takes on the entirety of the lithium-ion spectrum – from vapes, e-bikes, electric vehicles, all the way to grid scale battery energy storage.

Safety is the top priority for every energy storage project.

The energy storage industry uses a suite of well-established codes and standards to ensure safety at facilities. Beyond seeking to meet and exceed safety best practices, the energy storage companies engage in extensive collaboration with fire departments and first responders to ensure that, if a rare safety incident does occur, a plan is in place to safely manage and resolve any incident.

Energy storage systems are engineered and designed to maximize safety and comply with best practices established by the national codes and standards that guide energy storage safety. The specialized enclosures that house batteries at energy storage facilities are designed to eliminate the risk of explosion and effectively contain any fire to a limited portion of the site. Ultimately, the energy storage industry is taking the necessary action to ensure that any incident that does occur is properly managed, and impacts are contained within the facility's secure site.

The best practices and requirements mentioned above are part of the National Fire Protection Association's safety standard for energy storage, the **National Fire Protection Association (NFPA) 855**, Standard for the Installation of Stationary Energy Storage Systems. NFPA 855 provides mandatory requirements for the design, installation, commissioning, operation, maintenance, and decommissioning of energy storage facilities. This adopts the most up-to-date edition of this document establishes

minimum safety standards for all phases of the life cycle of storage projects. Uniformity in adopting this standard across states and jurisdictions will ensure that clear evidence-based rules guide future development and operation of energy storage facilities.

The standard includes a range of prescriptive requirements for metrics such as maximum energy and spacing between units. The standard also lists several submittals that must be made to the AHJ, including the following:

- Hazard mitigation analysis (HMA)
- Emergency response plan
- Details of all safety systems
- Results of fire and explosion testing to UL 9540A or equivalent

The standard ensures frequent collaboration with fire officials, which is an energy storage industry best practice.

A strong approach to promoting safety at battery energy storage facilities is for state and local governments to adopt the rigorous, expert-developed, and evidence-based safety rules detailed in NFPA 855. The energy storage industry seeks to meet and exceed this standard, and utilizing this nationally recommended safety standard will ensure uniform and consistent incorporation of best practices throughout Maryland.

Respectfully, we request amendments to the bill that:

- Ensure the work of this commission does not delay the PSC procurement process.
- Segment out different lithium-ion technologies – a local government is not going to regulate vape pens, suitcases, electric vehicles, or e-bikes the way they should battery energy storage. The broad scope of this commission may result in unclear adoption of important safety standards.
- If the committee decides to keep utility scale storage as part of this commission rather than deferring to the PSC process, ensuring industry representatives from all market segments – consumer goods, transportation and vehicles, behind the meter battery storage, and front of the meter grid-scale battery energy storage are all included as members of the commission will ensure that recommendations reflect the best science and incorporate the strongest safety practices for regulating all market sectors.

Thank you for your committee's work to establish an ambitious but achievable 3,000 MW energy storage goal. Grid scale, clean battery storage allows us to store energy to use at another time. Battery storage will increase reliability, control costs for consumers, and ultimately will helps us build a more resilient grid that reduces our reliance on coal or natural gas peaker plants in times of high energy demand.

American Clean Power Association and MAREC Action appreciate your careful consideration of this legislation and we look forward to partnering with this committee on clean energy legislation.

Moira Cyphers
Eastern Region State Affairs Director
American Clean Power Association
(301) 318-4220
MCyphers@cleanpower.org

Evan Vaughan
Executive Director
MAREC Action
(202) 431-4640
evaughan@marec.us