



**The Maryland Department of the Environment
Secretary Serena McIlwain**

Senate Bill 536

***Environment-Nuclear Power Plants-Emergency Preparedness (Radiation and
Emergency Preparedness and Protection Act)***

Position: Support

Committee: Education, Energy, and the Environment

Date: March 5, 2023

From: Jeremy D. Baker

The Maryland Department of the Environment (MDE) **SUPPORTS** Senate Bill 536.

Bill Summary

Senate Bill 536 would codify a current payment practice and add a Consumer Price Index (CPI) adjustment factor to support MDE's Radiological Emergency Preparedness Program and the Maryland Department of Emergency Management (MDEM). The payments would be made by owners of fixed nuclear power plants located in Maryland and in neighboring states where a facility's emergency planning zone falls within Maryland. Currently, payments are made through a memorandum of understanding (MOU). The fee would provide MDE with \$600,000 and MDEM with \$120,000 in revenue beginning in fiscal year 2025.

Position Rationale:

As part of protecting and maintaining public welfare, the State needs to ensure that it is equipped and prepared to respond to any incident related to a nuclear generation facility. MDE has received payments from fixed nuclear power owners in past years to support these activities. Those payments were not driven by State regulatory or statutory requirements, but were made through an MOU agreement between the owner and MDE to fulfill the owner's obligations under the Nuclear Regulatory Commission/Atomic Energy Act. The most recent agreement expired in May of 2023, which is expected to cover costs through FY24. Codifying the payment practice provides a stable and permanent funding source for this vital public safety service.

MDE currently trains staff, prepares response plans, participates in emergency response drills, and undertakes other relevant activities to ensure the State is adequately prepared to respond to

incidents at facilities that use nuclear technology to generate electricity. MDE has a Director and two permanent staff within the Office of Emergency Response and Preparedness.

Approximately two dozen staff within MDE's Radiological Health Program dedicate time to ongoing refresher training throughout the year to be able to provide adequate coverage across all job stations during a one-day preparedness exercise or an actual event that may last multiple days involving round-the-clock coverage.

Additionally, there are equipment and other ancillary costs associated with nuclear emergency response and preparedness. Collectively, MDE's costs to support the stated activities vary yearly, depending primarily on how many response drills are scheduled, the number of filled positions in the Radiological Health Program at any given time, and the need to purchase equipment or perform maintenance.

Accordingly, MDE asks for a **FAVORABLE** report for SB 536.