MOBILIZE FREDERICK
EQUITABLE SUSTAINABLE SOLUTIONS

Senate Education, Energy and Environment Committee February 21, 2024

Subject: SB474: Critical Infrastructure Streamlining Act of 2024

Dear Esteemed Committee Members:

Mobilize Frederick (hereafter "MF") is a registered 501 (c)3 non-profit climate and environmental advocacy group based in Frederick County, MD. As a point of reference, three of our members were selected by County Executive Fitzwater to participate in the recent Frederick County Data Center Work Group citizens advisory panel tasked with drawing up recommendations around the emerging data center industry in Frederick County. As such, we feel relatively well versed on the subject Senate bill and the topic of data centers and backup generators, to which we hereby submit comment and recommendations, as follows:

Comment

1) Our position is "favorable with amendments."
2) We believe that fostering an environment for responsible data center placement and operation in the County/State is beneficial.
3) We understand and accept that the use of backup generators is a baseline requirement for the data center industry, *at the present time.*
4) We believe that the deployment and use of backup generators can be done in such a manner so as to minimize and reduce the negative impacts thereof, and that such minimization and reduction mechanisms are currently lacking in the subject proposed legislation. (See below recommendations for correction thereof.)
5) We believe that new technologies for the provision of emergency backup power is evolving, and that such evolution includes minimizing negative characteristics associated with current backup generators, and as a result, provisions should be included in the subject bill to allow for and incentivize the introduction of new technologies in the future, particularly in the area of reducing greenhouse gas (GHG) emissions.

Recommendations

1) Only Tier IV class generators or equivalent, or the best in class commercially available technology at the time as it relates to minimizing GHG emissions, should be allowed under the subject bill.

2) Regardless of generators used they should always be required to utilize the least polluting commercially available fuel type(s) then available. (Ideally, any generators initially deployed should be forward compatible with future envisioned fuel types which emit lesser GHG emissions, for example, Hydrogenated Vegetable Oil (HVO), hydrogen etc.).
3) Since periodic testing of backup generators is common and a vendor-mandated general practice, such testing should: (a) Conform to the minimum requirements of the vendor as to duration and frequency of testing, and (b) Be restricted to normal business hours of 8 a.m. – 5 p.m., Monday – Friday.
4) Aside from periodic testing, when to use backup generators for operational purposes should be defined: We suggest they be restricted to emergency conditions only, which are defined as a failure of utility provided power, or an equipment failure on the campus or site of the data center or institution which the generator is supporting.
5) Include a mechanism in the subject bill to encourage: (a) The use of commercially available non-fossil fuel based generators or other alternatives for provision of backup emergency power, and (b) Early retirement of existing generators with lesser GHG emitting alternatives as they evolve and become commercially available.

Thank you for your consideration.

Respectfully,

Karen Cannon
Executive Director
Mobilize Frederick