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Oppose SB 937/ HB 1035
Next Generation Energy Act
February 28, 2025
Joint Senate Education, Energy, and the Environment Committee
& House Economic Matters Committee

On behalf of Food & Water Watch and our 44,000 members in the state, we are submitting this testimony in opposition to the Next Generation Energy Act that seeks to promote and fast track new fracked gas and nuclear energy power plants in Maryland as part of a push for so-called “dispatchable energy.”

For years, state leaders have regularly expressed a commitment to achieving a clean energy future that valued reducing electricity costs, greenhouse gas and toxic pollution, as well as preventing the externalized costs to public health and the environment from old, dirty energy power plants. The Next Generation Energy Act completely abandons that commitment and instead promotes building new fossil fuel plants and nuclear reactors as quickly as possible and with fewer protections for the communities that might be impacted.

At a time when rates have continued to increase because of the continued reliance on fossil fuels by the current grid system, this legislation doubles down on building out more methane gas plants and nuclear reactors. This will prove to be more expensive than simply continuing to build out wind and solar, and will ultimately cost Maryland ratepayers billions. Glaringly, the bill even has language that suggests that some cost analysis may be kept confidential.

Unfortunately, the Next Generation Act is also promoting the build out of these new power plants in retired fossil fuel facilities. Under the provisions in the bill, in that scenario, the state would also wave key steps requiring community feedback and protections, including with environmental justice communities, and would also remove formal engagement processes with local municipalities about land use planning. As per the bill language, within a few months a new power plant could get its key Certificate of Public Necessity without needing to engage communities or local officials.

Just as problematically the Next Generation Energy Act contains a very short “community benefits” portion of the legislation that would only apply to entirely new locations. But the section says nothing about the process by which the state would choose the locations of these new facilities, how communities would be consulted, the risk assessment of negative environmental and social impacts, nor how the state would ensure that environmental justice principles would be factored in to protect the most vulnerable communities where these type of dangerous facilities usually end up. Nor does the bill address the potential pipelines or transmission lines that would likely need to be built out across Maryland communities to service these new power plants.

The rush to build out these nuclear reactors is largely about the push to build Artificial Intelligence data centers in Maryland that will require enormous amounts of energy. Again, Maryland families should not have to pay for these to subsidize the tech companies. But it is

particularly telling that there are open discussions about new power plants and reactors being co-located with these data centers or having them built in close proximity to them. But this bill again fails to address siting parameters or protections for communities near potential new power plants that would store radioactive fuel rods on site the same way Calvert Cliffs does and/or methane power plants that emit toxic chemicals into surrounding communities.

It is already widely known that new fracked gas plants and nuclear reactors will emit dangerous chemicals into our air and pollute our waterways. They will also necessitate new hazardous material and emergency planning programs in Maryland communities to deal with the long-lived radioactive and toxic waste from these facilities. The bill does not provide any acknowledgment, planning, or protections for Maryland's communities for these potentially dangerous new realities. Instead, the bill's intention is to approve the facilities as quickly as possible for key permits, potentially over just a few months.

Whether it's new fracked gas plants or nuclear reactors, every credit we give or dollar we spend propping up the energy of our past is a dollar we can't spend on the transition to a clean, safe and affordable energy economy.

For all these reasons, we urge you to oppose this legislation