



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

House Bill 1534 - Data Centers - Standards for Operation and Siting

Position: Letter of Concern
Committee: Environment and Transportation
Date: March 10, 2026
From: Jeremy D. Baker, Director of Government Relations

The Maryland Department of the Environment (MDE) offers this **LETTER OF CONCERN** for HB 1534.

Bill Summary

House Bill 1534 would establish operational and siting standards for data centers in Maryland. The bill would require specific environmental and safety measures when located near schools, such as specific setbacks for high-voltage substations and transmission lines, advanced air filtration, and public air quality monitoring. MDE would be required to develop regulations for sound, vibration, backup power, and emissions, including noise limits, Tier 4 emission standards for generators, and on-site battery storage. Violations could result in a \$10,000 civil penalty, emergency stop work orders, and permit suspension or revocation.

Position Rationale

The Moore-Miller administration is committed to managing data center growth in Maryland responsibly, and the Governor has articulated that the administration is supportive of new data center projects that must hire local workers, engage local government and communities, and cover the cost of their own power needs. HB 1534, as currently drafted, presents several challenges-including legal ambiguities, due process concerns, and inconsistent enforcement authority that would make implementation difficult for MDE.

In regards to the legal ambiguities and due process concerns, the “emergency stop work order” provision for backup generator testing is problematic as the language would require work to cease if an air quality monitor detects a 20% pollutant increase, but does not grant MDE rulemaking authority to establish the air quality baseline or a clear mechanism to subsequently lift the order. HB 1534 is also vague as to what “work” is stopped, which could be interpreted as an immediate and potentially lengthy injunction on the operation and could affect the readiness of an emergency electric generator should an emergency subsequently arise.

HB 1534 also includes specific requirements that MDE staff do not have the expertise or practical ability to enforce. For instance, MDE does not oversee noise or vibration pollution standards, as this authority was transferred to local governments in 2012 (Environment Article § 3-403). Consequently, HB 1534’s limited transfer of enforcement authority back to the State is inconsistent with existing law. Furthermore, the bill requires MDE to mandate “on-site battery storage” for data centers, a technology under Public Service Commission purview. Finally, the bill would require MDE to mandate “all mechanical equipment to use spring-isolated foundations with 95% efficiency”, which MDE staff lack experience or expertise to enforce.

Implementing the bill’s current requirements - developing these regulations and establishing 24/7 statewide oversight for noise, vibration, and air pollution - would necessitate a significant fiscal impact, including the hiring of compliance personnel and the acquisition of necessary equipment, as existing staff cannot absorb these new responsibilities.

MDE hopes this **LETTER OF CONCERN** regarding HB1534 is helpful. Please do not hesitate to reach out if you have any questions.

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