

Written Testimony Maryland House Feb 24 2026.pdf

Uploaded by: Carol Lane

Position: FAV

Maryland House Committee on Environment and Transportation

Carol Lane, Senior Vice President, Government Relations, X-energy

In Support of HB 970

February 24, 2026

Chair Korman, Vice Chair Guyton, and Members of the Committee:

Thank you for the opportunity to testify in support of House Bill 970. My name is Carol Lane, Senior Vice President for Government Relations at X-energy. X-energy is an advanced nuclear reactor company headquartered in Rockville, Maryland. Since 2019, we have grown from approximately 50 employees to nearly 1,000, with most operations based here in Maryland, including Operations Training Simulator in Frederick and our Helium Test Facility supporting advanced reactor development.

X-energy is developing a high-temperature gas-cooled small modular reactor (SMR) designed for both electricity and industrial heat applications. Our technology offers several important attributes:

- **Inherently safe fuel:** Our TRISO fuel is meltdown-resistant and recognized by the U.S. Department of Energy as among the most robust nuclear fuels developed.
- **Non-water cooling:** Our reactor uses inert helium gas rather than water in the reactor core.
- **Compact emergency planning zone:** Approximately one-quarter mile, enabling siting near industrial facilities and data centers.
- **Dual output capability:** We produce both reliable electricity and high-quality steam for manufacturing and industrial processes.

Our first commercial plant will be deployed at a Dow chemical facility in Texas under the Department of Energy's Advanced Reactor Demonstration Program. In 2024, we signed an agreement with Amazon to support development of more than five gigawatts of new power through 2039. In 2025, we partnered with Centrica in the United Kingdom for initial deployment followed by additional multi-gigawatt commitments. Commercial deployment begins in the early 2030s.

While federal policy has been instrumental in advancing first-of-a-kind projects, state-level market signals increasingly determine where projects ultimately locate and scale. HB 970 takes a thoughtful and pragmatic step by modernizing Maryland's Renewable Energy Portfolio Standard into a Clean Energy Portfolio Standard and recognizing nuclear energy within that framework.

Today, nuclear energy provides more than 70 percent of Maryland's carbon-free electricity. At the same time, Maryland faces increasing demand growth, tightening reserve margins within PJM, and the potential to attract energy-intensive industries such as advanced manufacturing and data centers.

Expanding the definition to clean energy acknowledges that a durable, affordable, and reliable clean energy system requires firm, dispatchable, carbon-free generation alongside wind and solar.

Importantly, placement within the portfolio structure influences investment decisions.

Tier 2 recognition appropriately acknowledges nuclear energy's clean attributes and supports system

reliability. However, Tier 1 treatment — particularly for new advanced nuclear generation — could create a stronger long-term market signal and could serve as a meaningful accelerator for deployment.

Tier 1 eligibility would:

- Provide higher-value clean energy credits
- Improve project bankability and financing certainty
- Signal Maryland's intent to attract next-generation clean energy investment
- Support new-build projects rather than solely recognizing existing assets

As Maryland evaluates its long-term energy strategy, the distinction between Tier 1 and Tier 2 is ultimately about how strongly the state wishes to incentivize new 24/7 firm generation.

HB 970 represents an important first step in modernizing Maryland's framework. It recognizes nuclear energy's role in reliability, economic growth, and decarbonization. As a Maryland-based company, X-energy stands ready to partner with the state in delivering new clean energy capacity, high-quality jobs, and long-term economic investment.

Thank you for your consideration.

HB 970_MDCC_Renewable Energy Portfolio Standard-Nu

Uploaded by: Hannah Allen

Position: FAV



House Bill 970

Date: February 24, 2026

Committee: House Environment & Transportation

Position: Favorable

Founded in 1968, the Maryland Chamber of Commerce (the Chamber) is the leading voice for business in Maryland. We are a statewide coalition of more than 7,000 members and federated partners, and we work to develop and promote strong public policy that ensures sustained economic growth for Maryland businesses, employees, and families.

House Bill 970 (HB 970) renames Maryland's Renewable Energy Portfolio Standard as the Clean Energy Portfolio Standard and expands eligible compliance options by recognizing nuclear energy as a clean, zero-emissions resource.

Maryland law already sets ambitious clean energy and emissions reduction targets. HB 970 would make it easier and more practical to meet existing statutory clean energy standards by broadening the range of carbon-free resources that may be used for compliance. Recognizing nuclear energy as part of our clean energy portfolio reflects its role as a reliable, zero-emissions resource that supports grid stability as renewable generation continues to expand.

Importantly, we believe that this approach would lower the overall cost of compliance with Maryland's clean energy requirements. By increasing flexibility in how obligations are met, HB 970 would help mitigate cost pressures on electricity suppliers and, in turn, benefit businesses of all sizes through more manageable and predictable energy rates. Cost containment is especially critical as employers continue to navigate inflationary pressures and rising operating expenses.

By modernizing the framework to focus on clean energy rather than a narrower set of technologies, HB 970 advances Maryland's environmental goals while promoting affordability and reliability for employers and ratepayers alike.

For these reasons, the Chamber respectfully requests a **favorable report** on **HB 970**.

Tomasulo Testimony on HB970 final.pdf

Uploaded by: Jacob Tomasulo

Position: FAV

Statement

of

Jacob Tomasulo

Policy Analyst
Competitive Enterprise Institute

Before the

Environment and Transportation Committee
Maryland House of Delegates

February 24, 2026

RE: HB970 - Renewable Energy Portfolio Standard – Nuclear Energy and Renaming

Chairman Korman, Vice Chair Guyton, and members of the Energy and Transportation Committee:

My name is Jacob Tomasulo, and I am a Policy Analyst in the Center for Energy and Environment at the Competitive Enterprise Institute. CEI is a nonpartisan public policy research organization focused on free market solutions to public policy problems.

I appreciate the chance to testify today and discuss a bill that would help lower energy prices for Marylanders.

In 2019, Maryland's Clean Energy Jobs Act amended the existing renewable portfolio standard (RPS) and set a minimum requirement that 50 percent of all electric retail sales must be from tier 1 renewable sources by 2030 with carve outs for certain energy sources.¹ However, in 2023, only 13 percent of Maryland's total in-state electricity generation was from renewable energy.² While this figure does not reflect imported power, it still does not give much hope that Maryland will be able to meet the 50 percent requirement.

Not only that, but data from the U.S. Energy Information Administration shows that the total amount of renewable energy production and consumption have both *decreased* in Maryland since the Clean Energy Jobs Act was enacted in 2019.³

Moreover, one study found that the state's (RPS) has imposed significant costs on ratepayers. In fact, between 2008 and 2025, electricity providers spent just over \$1 billion to comply with the Tier 1 non-solar, non-geothermal RPS requirements.⁴ That is quite the price tag considering both renewable energy production and consumption have decreased. There is also little doubt that these costs trickle down to consumers.

On the bright side, nuclear energy provides a path forward that is both clean and reliable. To start, Maryland's lone nuclear power plant already provides 40 percent of the state's generation.⁵

¹ SB516 – Clean Energy Jobs, 2019 Regular Session, <https://mgaleg.maryland.gov/2019RS/bills/sb/sb0516E.pdf#page=20>.

² “Maryland Analysis,” US Energy Information Administration, accessed February 20, 2026, <https://www.eia.gov/states/MD/analysis#:~:text=renewable%20electricity%20generation,-,Renewable%20energy,-%2C%20including%20both%20small>.

³ See “Renewable energy production estimates by source, annual,” US Energy Information Administration, accessed February 20, 2026, <https://www.eia.gov/states/MD/data/dashboard/renewables>; and “Renewable energy consumption estimates by source, annual,” US Energy Information Administration, accessed February 20, 2026, <https://www.eia.gov/states/MD/data/dashboard/renewables>.

⁴ Tim Whitehouse and Senay Emmanuel, *Unbundled: Fixing Maryland's Broken Renewable Portfolio Standard*, (Silver Spring, MD: Public Employees for Environmental Responsibility, January 2025), p. 7, https://peer.org/wp-content/uploads/2025/01/1_16_25-Maryland-RPS-Report-FINAL.pdf#page=7.

⁵ “Maryland Analysis,” US Energy Information Administration, accessed February 20, 2026, <https://www.eia.gov/states/MD/analysis#:~:text=Maryland%27s%20only%20nuclear%20power%20plant%E2%80%94the%20two%2Dreactor%20Calvert%20Cliffs%20power%20plant%20located%20on%20the%20western%20shore%20of%20the%20Chesapeake%20Bay%E2%80%94accounted%20for%2040%25%20of%20the%20state%27s%20generation%20in%202023>.

Nuclear is also dispatchable, which means it can be called upon to meet electricity demand when needed. This is because nuclear power is available almost all of the time and more than any other source of electricity. On the other hand, intermittent sources like wind and solar only provide power when it's windy or sunny. Nuclear also creates competition in the renewable power marketplace which incentivizes competitors to be innovative and develop technologically to outcompete their competition. This helps to lower prices.

For these reasons, the committee should support the classification of nuclear power as a tier 1 source. Nuclear power is clean and reliable, and classifying it as tier 1 will create more competition that lowers prices for consumers.

Thank you

NEI Support -- MD HB 970 -- Written.pdf

Uploaded by: John Kotek

Position: FAV

Maryland House Committee on Environment and Transportation
Nuclear Energy Institute
Public Support of HB 970
February 24, 2026

Chair Korman, Vice Chair Guyton, and members of the committee, I appreciate the opportunity to testify before you today in support of House Bill 970. My name is John Kotek and I am senior vice president for policy and public affairs at the Nuclear Energy Institute (NEI). NEI is the national trade organization for the commercial nuclear energy industry. We have over 350 members in the nuclear power industry, including electric utilities, reactor designers, architect and engineering firms, fuel suppliers and service companies, universities and research laboratories, law firms, labor unions, and other stakeholders across the United States and around the world.

We applaud Maryland's consideration of House Bill 970, which expands the definition of eligible clean energy sources to include nuclear energy, specifically power generated by nuclear energy generating stations, including small modular reactors, as Tier 2 clean energy sources.

HB 970 ensures Maryland's clean energy policies align with the physical realities of the electric grid and the urgency of the state's climate commitments. Specifically, by including nuclear energy within the state's definition of eligible clean energy sources and allowing nuclear generation to qualify for clean energy credits, the General Assembly would strengthen grid reliability, protect ratepayers, and accelerate Maryland's progress towards its emissions reductions and energy security goals.

Nuclear Energy Is Maryland's Largest Source of Carbon-Free Electricity

Nuclear energy is the single largest source of carbon-free electricity in Maryland, accounting for three-quarters of the state's carbon-free generation. So far this decade, Calvert Cliffs 1 and 2 have operated at a capacity factor of more than 95 percent, highlighting first-hand how nuclear plants can operate around the clock, providing reliable, emissions-free power for up to 80 years or more.¹

In states that have recognized nuclear energy as clean energy within portfolio standards or clean energy credit programs, policymakers have preserved existing carbon-free generation, avoided millions of tons of emissions, and maintained thousands of family-sustaining jobs. Maryland should ensure that its clean energy framework fully values all carbon-free resources—including nuclear energy.

¹ <https://www.nei.org/getContentAsset/b31c89a7-d403-412d-a7a8-5b4b12f42761/8d8ff8d6-b2ae-401b-a63c-f6b108e809d2/Maryland-State-Fact-Sheet.pdf?language=en-US>

Clean Energy Credits Must Be Technology Neutral

Market-based solutions, such as prices on carbon or portfolio standards, empower American energy innovation while still acknowledging the fundamental threat of climate change. Clean energy standards are technology neutral and more aggressively reduce carbon emissions and cost to customers because of market pricing efficiencies. Several states have established portfolio programs, known as zero-emission credits, recognizing the valuable, carbon-free aspects of nuclear energy.

Many states have updated their portfolio standards or clean energy programs to include nuclear energy in recognition of its carbon-free attributes including Colorado, Michigan, New Hampshire, North Carolina, and Virginia. They have done so because achieving ambitious climate targets requires retaining and expanding all forms of clean, dispatchable generation.

And at the Federal level, the U.S. Congress has also recognized nuclear energy as a clean energy technology through both the Bipartisan Infrastructure Law and the Inflation Reduction Act. Nuclear energy qualifies for the federal Section 45U zero-emission nuclear production tax credit as well as technology-neutral clean electricity tax credits (Sections 45Y and 48E).²

Protecting Ratepayers and Reliability

Maryland is part of the PJM regional transmission system, which is experiencing growing electricity demand and increasing reliability pressures. As electrification expands and new large loads connect to the grid, maintaining firm, dispatchable, carbon-free generation becomes even more critical.

Policies that exclude nuclear energy risk increasing price volatility and long-term system costs. Including nuclear energy in Maryland's Clean Energy Credit framework helps:

- Protect ratepayers from avoidable cost increases
- Maintain grid reliability
- Prevent backsliding in emissions reductions

Positioning Maryland for Advanced Nuclear Innovation

House Bill 970 is not only about recognizing existing generation. It also ensures Maryland's framework supports future innovation. As neighboring states modernize their energy policies, Maryland should ensure it remains competitive for emerging clean energy investment.

Advanced nuclear technologies, including small modular reactors and microreactors, offer enhanced safety features, flexible deployment options, and the ability to complement renewable resources.

² <https://www.irs.gov/credits-deductions/zero-emission-nuclear-power-production-credit>

February 24, 2026

Page 3

States that establish inclusive, technology-neutral clean energy policies are positioning themselves to attract advanced nuclear investment. Maryland should ensure its statutes do not inadvertently close the door on these opportunities.

Conclusion

House Bill 970 modernizes Maryland's clean energy framework to reflect what is already true: nuclear energy is carbon-free, reliable, and essential to meeting the state's climate goals. Recognizing it within the Clean Energy Credit program strengthens Maryland's ability to decarbonize while protecting ratepayers and maintaining grid reliability.

NEI respectfully urges the Committee to advance HB 970.

Thank you for your leadership and your commitment to ensuring Maryland's energy future remains reliable, affordable, and clean. NEI stands ready to serve as a resource as this legislation moves forward.

John Kotek
Senior Vice President, Policy & Public Affairs
Nuclear Energy Institute
1201 F Street, Suite 1100
Washington, DC 20004
jfk@nei.org

NEI Support -- MD HB 970 Oral Testimony Feb24.pdf

Uploaded by: John Kotek

Position: FAV

Maryland House Committee on Environment and Transportation
Nuclear Energy Institute
Testimony in Support of HB 970
February 24, 2026

Chair Korman, Vice Chair Guyton, and members of the committee, thank you for the opportunity to testify in support of House Bill 970. My name is John Kotek and I am senior vice president for policy and public affairs at the Nuclear Energy Institute, the national trade organization representing the commercial nuclear energy industry.

Nuclear energy is already Maryland's largest source of carbon-free electricity, providing about three-quarters of the state's carbon-free generation. Calvert Cliffs operates at a capacity factor of more than 95 percent, delivering reliable, emissions-free power around the clock.

Preserving and properly valuing nuclear is essential to meeting the state's emissions reduction commitments. Across the country, states such as Colorado, Michigan, North Carolina, and Virginia have updated their clean energy standards to include nuclear because achieving ambitious climate targets requires retaining and expanding all forms of clean, dispatchable generation. At the federal level, Congress has also recognized nuclear as clean energy through production tax credits and technology-neutral clean electricity incentives.

Maryland is part of the PJM region, which is experiencing growing electricity demand and increasing reliability pressures. As electrification expands and new large loads connect to the grid, maintaining firm, dispatchable, carbon-free generation becomes even more critical. Including nuclear helps protect ratepayers, maintain grid reliability, and prevent backsliding in emissions reductions.

House Bill 970 positions Maryland for the future. Advanced nuclear technologies offer enhanced safety, flexible deployment, and the ability to complement renewable resources. Technology-neutral policies ensure Maryland remains competitive for clean energy investment.

House Bill 970 modernizes Maryland's clean energy framework to reflect what is already true: nuclear energy is carbon-free, reliable, and essential to achieving the state's climate goals. NEI respectfully urges the Committee to advance this bill. Thank you for your leadership and commitment to a reliable, affordable, and clean energy future

John Kotek
Senior Vice President, Policy & Public Affairs
Nuclear Energy Institute
1201 F Street, Suite 1100
Washington, DC 20004
jfk@nei.org

Constellation_HB 970 Testimony.pdf

Uploaded by: Maurice Simpson, Jr.

Position: FAV

February 24, 2026

Chairman Marc Korman
House Environment and Transportation Committee
231 Taylor House Office Building
Annapolis, Maryland 21401

RE: House Bill 970 Renewable Energy Portfolio Standard - Nuclear Energy and Renaming

Constellation is the nation's largest producer of carbon-free electricity and the largest owner and operator of nuclear energy assets in the United States. We are proud to operate the Calvert Cliffs Clean Energy Center, Maryland's only nuclear facility and one of the State's most critical clean energy resources. Headquartered in Baltimore, Constellation has a long-standing commitment to Maryland's climate goals, workforce, and economy.

House Bill 970 modernizes Maryland's energy policy by recognizing nuclear energy as an eligible clean energy resource and renaming the Renewable Portfolio Standard as the Clean Energy Portfolio Standard (CEPS). This change strengthens—not weakens—Maryland's commitment to achieving 100 percent clean electricity by aligning policy with the physical realities of the electric grid and the urgency of the State's climate goals.

Nuclear energy is the single largest source of carbon-free electricity in Maryland, accounting for approximately three-quarters of the State's carbon-free generation. Calvert Cliffs Units 1 and 2 have consistently operated at capacity factors exceeding 90 percent, demonstrating how nuclear plants provide reliable, emissions-free electricity around the clock for 80 years or more.

Achieving Maryland's climate goals requires a diverse portfolio of zero-emission resources that balances environmental progress with reliability and affordability. House Bill 970 reflects that balance and aligns clean energy policy with real-world system needs.

For these reasons, Constellation respectfully requests a favorable report on House Bill 970.

Respectfully submitted,

Maurice Simpson, Jr.

Maurice Simpson, Jr.
Senior Manager, State Government and Regulatory Affairs
maurice.simpson@constellation.com

HB0970_373327_1 Amendment.pdf

Uploaded by: Todd Morgan

Position: FWA



HB0970/373327/1

AMENDMENTS PREPARED BY THE DEPT. OF LEGISLATIVE SERVICES
18 FEB 26 13:02:49

BY: Delegate T. Morgan
(To be offered in the Environment and Transportation Committee)

AMENDMENTS TO HOUSE BILL 970
(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 23, strike “(x)” and substitute “(w)”.

AMENDMENT NO. 2

On page 4, after line 26, insert:

“(w) “Tier 1 renewable source” means one or more of the following types of energy sources:

(1) solar energy, including energy from photovoltaic technologies and solar water heating systems;

(2) wind;

(3) qualifying biomass;

(4) methane from the anaerobic decomposition of organic materials in a landfill or wastewater treatment plant;

(5) geothermal, including energy generated through geothermal exchange from or thermal energy avoided by, groundwater or a shallow ground source;

(6) ocean, including energy from waves, tides, currents, and thermal differences;

(7) a fuel cell that produces electricity from a Tier 1 renewable source under item (3) or (4) of this subsection;

(8) a small hydroelectric power plant of less than 30 megawatts in capacity that is licensed or exempt from licensing by the Federal Energy Regulatory Commission;

(9) poultry litter-to-energy;

(10) thermal energy from a thermal biomass system; [and]

(11) raw or treated wastewater used as a heat source or sink for a heating or cooling system; AND

(12) POWER GENERATED BY A NUCLEAR ENERGY GENERATING STATION, INCLUDING A SMALL MODULAR REACTOR, CONNECTED WITH THE ELECTRIC DISTRIBUTION SYSTEM SERVING THE STATE.”.

On pages 4 and 5, strike in their entirety the lines beginning with line 27 on page 4 through line 3 on page 5, inclusive.

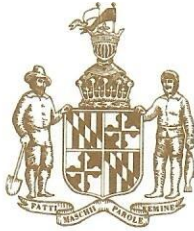
HB970 DTMorgan Testimony.pdf

Uploaded by: Todd Morgan

Position: FWA

TODD B. MORGAN
Legislative District 29C
Calvert and St. Mary's Counties

Environment and Transportation
Committee



The Maryland House of Delegates
6 Bladen Street, Room 215
Annapolis, Maryland 21401
410-841-3319 · 301-858-3319
800-492-7122 Ext. 3319
Todd.Morgan@house.state.md.us

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

TESTIMONY IN SUPPORT OF HOUSE BILL 97
Renewable Energy Portfolio Standard – Nuclear Energy and Renaming
House Environment and Transportation Committee
February 24, 2026

Chair Korman, Vice-Chair Guyton, and Members of the Committee:

House Bill 97 updates Maryland's Renewable Portfolio Standard (RPS) to reflect the energy realities of 2026. Specifically, it adds nuclear energy as a Tier 1 eligible source and renames the program the Clean Energy Portfolio Standard (CEPS). This legislation strengthens—not weakens—our commitment to achieving 100% clean electricity while protecting ratepayers, supporting labor standards, and ensuring grid reliability.

Maryland has already recognized nuclear power as part of its long-term energy strategy through the Next Generation Energy Act and through planning by the Maryland Energy Administration. In its 100% Clean Electricity Report, the Administration concluded that Maryland must add between 7.4 and 11.2 gigawatts of clean energy capacity to meet net-zero goals and rising electricity demand. That report also acknowledged that reliable clean resources—including nuclear—may be necessary to maintain grid stability as demand increases.

At present, Maryland's only nuclear facility, the Calvert Cliffs Nuclear Power Plant, generates approximately 40% of the State's total net electricity. It operates at a capacity factor exceeding 92%, making it the most reliable large-scale source of clean electricity available to us. Nuclear energy emits no greenhouse gases during operation and has an exceptionally small land-use footprint—approximately 0.3 square meters per megawatt-hour produced.

Yet despite providing nearly half of Maryland's electricity, nuclear is excluded from Tier 1 eligibility under the current RPS structure.

HB 97 corrects that inconsistency.

Why This Matters Now

The Public Service Commission's 2024 compliance data reveals important structural pressures in the current RPS market:

- Tier 1 Alternative Compliance Payments (ACPs) were set at \$27.50/MWh.
- The average cost of retired Tier 1 RECs was \$27.09/MWh.
- Suppliers paid approximately \$365 million in ACPs in 2024 due to Tier 1 shortfalls.

In many cases, suppliers chose to pay the ACP rather than purchase RECs because REC prices were elevated due to scarcity. In other words, Maryland's Tier 1 market in 2024 was driven by credit shortages and compliance penalties—not by abundant clean energy supply.

Adding nuclear energy as an eligible Tier 1 resource directly affects the supply side of this compliance structure. If additional clean generation can produce eligible compliance credits:

- Tier 1 REC supply increases.
- REC price pressure likely moderates.
- ACP reliance likely declines.

The result could be lower compliance costs for ratepayers and a more stable credit market.

Importantly, this bill does **not** eliminate or reduce the solar carve-out. Solar retains its dedicated requirement and pricing structure. Wind, geothermal, and other Tier 1 technologies remain eligible. This legislation simply allows nuclear to participate alongside them.

Reliability and Clean Energy Reality

Maryland faces growing electricity demand, supply chain constraints, and interconnection delays. Solar and wind are critical components of our clean energy future—but they are intermittent resources. Nuclear provides always-on, carbon-free baseload generation that complements renewables and strengthens grid resilience.

House Bill 97 also prepares Maryland for next-generation technologies such as Small Modular Reactors (SMRs), which are being evaluated nationwide as flexible, scalable clean

energy solutions. By explicitly incorporating licensed nuclear facilities—including SMRs—into Tier 1 eligibility, this bill creates a policy pathway for future investment without displacing existing renewable commitments.

Conclusion

House Bill 97 does not retreat from Maryland's climate commitments. It strengthens them.

It recognizes that achieving 100% clean electricity requires reliable, zero-emission generation operating alongside wind and solar. It modernizes the RPS into a Clean Energy Portfolio Standard that reflects the full range of carbon-free technologies available to us.

If Maryland is serious about meeting its climate goals, stabilizing energy markets, and protecting ratepayers, we must align policy with physics and market mechanics.

For these reasons, I respectfully request a favorable report on House Bill 97



HB0970/373327/1

AMENDMENTS
PREPARED
BY THE
DEPT. OF LEGISLATIVE
SERVICES

18 FEB 26
13:02:49

BY: Delegate T. Morgan

(To be offered in the Environment and Transportation Committee)

AMENDMENTS TO HOUSE BILL 970

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 23, strike "(x)" and substitute "(w)".

AMENDMENT NO. 2

On page 4, after line 26, insert:

"(w) "Tier 1 renewable source" means one or more of the following types of energy sources:

(1) solar energy, including energy from photovoltaic technologies and solar water heating systems;

(2) wind;

(3) qualifying biomass;

(4) methane from the anaerobic decomposition of organic materials in a landfill or wastewater treatment plant;

(5) geothermal, including energy generated through geothermal exchange from or thermal energy avoided by, groundwater or a shallow ground source;

(6) ocean, including energy from waves, tides, currents, and thermal differences;

(7) a fuel cell that produces electricity from a Tier 1 renewable source under item (3) or (4) of this subsection;

(8) a small hydroelectric power plant of less than 30 megawatts in capacity that is licensed or exempt from licensing by the Federal Energy Regulatory Commission;

(9) poultry litter-to-energy;

(10) thermal energy from a thermal biomass system; [and]

(11) raw or treated wastewater used as a heat source or sink for a heating or cooling system; AND

(12) POWER GENERATED BY A NUCLEAR ENERGY GENERATING STATION, INCLUDING A SMALL MODULAR REACTOR, CONNECTED WITH THE ELECTRIC DISTRIBUTION SYSTEM SERVING THE STATE.”

On pages 4 and 5, strike in their entirety the lines beginning with line 27 on page 4 through line 3 on page 5, inclusive.

Nuclear Innovation Alliance MD HB970 Written Testi

Uploaded by: Zach Koshgarian

Position: FWA



February 20, 2026

The Honorable Marc Korman
Chair, House Environment and Transportation Committee
Maryland State House
Annapolis, Maryland 21401
Re: HB970 - Recognizing Nuclear Energy as Clean

Dear Chair Korman;

The Nuclear Innovation Alliance (NIA) is writing in support of HB970, which will change the current Renewable Energy Portfolio Standard to a Clean Energy Portfolio Standard and add nuclear energy as a Tier 1 renewable source. This bill recognizes nuclear energy as clean energy, will contribute to meeting Maryland's ambitious climate goals, and will provide important economic benefits to the state.

NIA is a non-profit, non-partisan 'think-and-do' tank whose mission is to create the conditions for success for new nuclear energy as an energy security and climate solution. NIA focuses on Nuclear Regulatory Commission (NRC) modernization, federal and state policies to support new reactor commercialization, and private investment and workforce development in new nuclear energy. To achieve its mission, NIA performs technical analysis and policy development, educates policymakers, and engages with key stakeholders.

In 2024, Governor Wes Moore pledged to reach 100% clean generation in Maryland by 2035. He signed an executive order to advance the State's Climate Pollution Reduction Plan, tasking the Maryland Energy Administration with establishing a framework for a clean energy standard to achieve this ambitious goal. According to the Nuclear Energy Institute, Maryland's one nuclear power plant generates 40% of the state's electricity. In Maryland, nuclear energy avoids an estimated 7.6 million metric tons of carbon dioxide emissions annually by displacing fossil fuel generation. In this sense, nuclear energy is the backbone of Maryland's carbon-free energy strategy.

HB970 would provide existing and new nuclear power plants with the same incentives that other sources of clean energy receive. For these reasons, NIA urges the Committee for a report of favorable with amendments for HB970.

If you have any questions, please contact me at zkoshgarian@nuclearinnovationalliance.org

Sincerely,
Zach Koshgarian
Analyst, NIA

The DOE should consider which small advanced reactor projects under the authority of DOE could qualify for categorical exclusions. Specifically, microreactors under 10 megawatts constructed and operated near existing DOE nuclear facilities would not likely pose any additional environmental burden associated with construction, operation, and decommissioning. These reactors are critical clean energy projects for the DOE because they enable the testing and demonstration of reactor technology that could be deployed or scaled commercially to meet clean energy needs. The DOE should evaluate the specific reactor characteristics (including size, technology, and operational duration) and siting characteristics (including siting near existing DOE nuclear facilities) that would enable the categorical exclusion of these projects from NEPA reviews.

Recommendation 2: Consider lessons from recent federal experience.

Recent DOE experience provides insights on similar NEPA reviews. The DOE conducted an environmental assessment (EA) for the Microreactor Applications Research, Validation and Evaluation (MARVEL) microreactor that is to be built at Idaho National Laboratory (INL). Although DOE regulations normally require an EIS for a reactor project, the size of the reactor led DOE to first conduct an EA. As a result of the EA, DOE issued a finding of no significant impact (FONSI).¹ DOE found that the microreactor would not significantly affect environmental justice, water resources, air quality, land use, aesthetics, noise, or local socioeconomic conditions. Notably, MARVEL is a 100-kilowatt thermal microreactor fueled with high-assay low enriched uranium (HALEU). While smaller than proposed commercial designs, the DOE did not find a significant impact with the HALEU fuel fabrication, decommissioning, and other support activities associated with reactor operation. Finally, the DOE did not find cumulative impacts to the site when taking into account the many other nuclear facilities at INL. The considerations together suggest categorical exclusions could be applicable to advanced reactors and microreactors with certain characteristics and siting conditions.

Additionally, DOE should consider activities other agencies have identified as categorical exclusions. The U.S. Nuclear Regulatory Commission, Department of Defense, and other agencies conduct activities similar to those of DOE. DOE should identify and implement best government practice.

NIA would like to thank DOE for the opportunity to comment in on this request for information. If you have any questions, please contact us at ecothron@nuclearinnovationalliance.org.

Sincerely,

Erik Cothron
Analyst
Nuclear Innovation Alliance

¹ DOE/EA-2146: Finding of No Significant Impact (November 2021). <https://www.energy.gov/nepa/articles/doeea-2146-finding-no-significant-impact-november-2021>

HB 970 - CBF - UNF.pdf

Uploaded by: Matt Stegman

Position: UNF



CHESAPEAKE BAY FOUNDATION

House Bill 970

Renewable Energy Portfolio Standard – Nuclear Energy and Renaming

Date: February 24, 2026

To: House Environment & Transportation Committee

Position: **UNFAVORABLE**

From: Gussie Maguire,
MD Staff Scientist

The Chesapeake Bay Foundation (CBF) **OPPOSES House Bill 970**, which renames the Renewable Energy Portfolio Standard to the Clean Energy Portfolio Standard and includes nuclear power generation as a Tier 2 renewable source.

The Renewable Energy Portfolio Standard (RPS) has been a pivotal tool as the state moves away from greenhouse gas-emitting energy generation. RPS incentivizes renewable energy growth and helps ensure a stable market for renewables in the state while setting critical targets for clean energy transition¹. While nuclear energy does not generate greenhouse gases, nuclear is factually not a renewable source, nor need it be incentivized like wind and solar. 40% of Maryland's energy generation already comes from the Calvert Cliffs nuclear power plant in Calvert County².

The RPS should continue its function as an incentive to increase solar, wind, and other truly renewable energy sources.

CBF urges the Committee's UNFAVORABLE report on HB 970.

For more information, please contact Matt Stegman, Maryland Staff Attorney, at mstegman@cbf.org.

¹ [DLS Introduction to the RPS, 2025](#)

² [Maryland at a Glance: Energy](#)

HB0970 - UNF - Renewable Energy Portfolio Standard

Uploaded by: Megan Outten

Position: UNF



Maryland

Energy Administration

TO: Chair Korman, Vice Chair Guyton, and Members of the Environment and Transportation Committee
FROM: MEA
SUBJECT: HB 970 - Renewable Energy Portfolio Standard - Nuclear Energy and Renaming
DATE: February 24, 2025

MEA Position: LETTER OF CONCERN

The Maryland Energy Administration respectfully submits this letter of concern for House Bill 970.

House Bill 970 would (1) rename Maryland's Renewable Energy Portfolio Standard to Clean Energy Portfolio Standard, (2) rename Renewable Energy Credits (RECs) as Clean Energy Credits, and (3) expand the definition of a Tier 2 renewable source to include power generated by a nuclear energy generating station, including small modular reactors, connected with the electric distribution system serving the State.

MEA's primary concern is that House 970 would make existing nuclear generation eligible to generate Tier 2 compliance credits under Maryland's portfolio standard, creating a new, ratepayer-funded subsidy stream without demonstrating additional clean energy deployment or emissions reductions attributable to the bill. In practice, this change would allow facilities such as Calvert Cliffs Nuclear Power Plant to generate Tier 2 credits for electricity already being produced today and receive new credit revenue as a result of a statutory reclassification, rather than due to new generation, new investment, or incremental clean energy outcomes.

While HB 970 does not increase the percentage requirements, compliance with the portfolio standard is financed through credit purchases and alternative compliance payments that electricity suppliers recover from customers through rates. As a result, adding nuclear generation as an eligible Tier 2 source would direct additional ratepayer-supported credit value to nuclear generation, at a time when Maryland policymakers are appropriately focused on protecting ratepayers and containing bill impacts.

Additionally, by expanding the supply of eligible credits, the bill risks changing market dynamics in ways that could dilute the policy signal intended to support emerging clean energy resources and associated in-state economic development.

For these reasons, MEA urges the Committee to consider these concerns before issuing a report on House Bill 970.

Our sincere thanks for your consideration of this testimony. For questions or additional information, please contact Megan Outten, Policy Manager, at megan.outten@maryland.gov or 443.842.780.