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BILL NO.: House Bill 0468 – Commission to Advance Lithium-Ion Battery Safety in Maryland

COMMITTEE: Economic Matters Committee
Environment & Transportation Committee

HEARING DATE: February 29, 2024

SPONSOR: Delegates Love and Boyce

POSITION: Favorable with Amendments

The Office of People’s Counsel (“OPC”) supports HB 468, which would establish the Commission to Advance Lithium-Ion Battery Safety (“Commission”) to study and make recommendations regarding—among other things—best practices and guidelines to prevent, detect, and suppress lithium–ion battery fires in utility applications; and training and education to better inform the public regarding lithium–ion battery safety.

Since its inception in 2019, OPC has been an active participant in the Energy Storage Pilot Program established by the Maryland Public Service Commission (“PSC”).¹ Through these proceedings, community members raised concerns about the lack of fire safety planning and oversight,² and OPC has observed that no single agency—at the state, county, or local level—currently has the subject matter expertise and responsibility to address such concerns.

OPC is also an active participant in the Energy Storage Program Working Group, convened by the PSC to meet the mandate of HB 910 to implement a permanent energy storage program by July 1, 2025.³ Among other things, the Working Group is considering

¹ See Maryland Public Service Commission Case No. 9619, *In the Matter of the Maryland Energy Storage Pilot Program*.

² Maryland Public Service Commission, Case No. 9619, Indian Head Highway Area Action Council, Inc. - Comments. Case No. 9619 (Maillog Number: 305125) (Sept. 18, 2023).

³ 2023 HB 910 Chapter 570.

the “applicable safety and environmental requirements for utility scale storage . . . including, but not limited to, plans for risk assessment, emergency response, preventing fires and explosions, safe removal of damaged batteries, and for decommissioning, disposal and the potential salvage of batteries and associated equipment.”⁴ Given the potential for overlap in the work of the Commission and the PSC Working Group, OPC supports the PSC’s recommendations, including to (1) add to the Commission representatives of the PSC, the Power Plant Research Program, and the Building Codes Administration; and (2) to require the Commission to issue an interim report by December 31, 2024.

Recommendation: OPC respectfully requests a favorable Committee report on HB 468 with the amendments recommended by the PSC.

⁴ Maryland Public Service Commission, Case No. 9715, Order No. 90823, *Initiating Workgroup to Develop a Maryland Energy Storage Program*, pg. 3 (Maillog Number 305375) (Oct. 2, 2023).