2025 HOUSE ENERGY AND NATURAL RESOURCES
HB 1025

2025 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Coteau AB Room, State Capitol

HB 1025 1/16/2025

A BILL for an Act to provide for a legislative management study relating to advanced nuclear energy; and to provide an appropriation.

9:00 a.m. Chairman Porter called the meeting to order.

Members Present: Chairman Porter, Vice Chairman Anderson, Vice Chair Novak, Representatives: Dockter, Hagert, Headland, Heinert, Johnson, Marschall, Olson, Ruby, Conmy, Foss

Discussion Topics:

- Development of Nuclear Energy
- Nuclear Fuel
- Fuel Storage Locations
- Air cooled condensers

9:00 a.m. David Hogue, ND Senator, introduced the bill. #29417

9:11 a.m. Pam Gorman, Xcel Energy, testified in favor. #29418

9:33 a.m. Reise Haase, Director of Water Resources, testified in favor. #29170

9:35 a.m. Josh Loosemore, President of Peritiacon, testified in favor. #29014

9:47 a.m. Tyler Haman, Assistant Vice President for Strategic Partnerships, EERC, testified in favor #29394

Additional written testimony:

Gordan Greenstein, United States Veteran, submitted testimony in favor, #28514

Dennis Pathroff, Power Companies of ND, submitted testimony in favor. #29236

Christine Csizmadia, Senior Director, Nuclear Energy Institute, submitted testimony in favor. #29326

9:50 a.m. Chairman Porter closed the hearing.

Leah Kuball, Committee Clerk

HB 1025

House Energy and Natural Resources Resources

I support HB 1025

Chairman Porter and Committee Members, I support the study on advanced nuclear energy during the 2025-26 interim period. I understand the study will explore multiple aspects of potential nuclear power plant development, including optimal site locations (both undeveloped and developed land), electric grid connectivity, land use considerations, economic impacts, and existing legal restrictions. I urge a Do Pass on HB 1025.

Thank You, Gordon Greenstein

US Navy (Veteran)

US Army (Retired)

Peritiacon LLC - HB1025 - In Support

Josh Loosmore

President

5601 Gold Dr Bismarck, ND 58503 701-552-5401 josh.loosmore@peritiacon.com

01-14-2025

Chairman Porter & Committee Members,

I support HB 1025(study) as did I support HCR 3034. I will continue to support the State in looking into the nuclear landscape as a viable option. There are several key points addressed in the bill I plan to speak to in person. There are also a few questions I hear from the public, surrounding communities, and industries that I can address.

I am aware of the Nuclear Energy Institute and Xcel presentations during the hearings for HCR 3034 and have had discussions with parties of interest. I have also reached out to Constellation Energy and have had encouraging conversations and feedback.

This may seem like a tall order for a state to tackle. I assure you, it's not insurmountable. Others have done this. I have been assured by the NRC that the path forward is not as complex as it used to be. There are processes and procedures that dictate direction. There needs to be a piece of this geared towards educating the public. Public perception is based on what the public knows.

I bring 20+ years' experience in nuclear power operations, transmission, statutory & regulatory framework, licensing, renewals, and regulatory audits. I oversaw the State of North Dakota's Radiological Emergency Preparedness Program (REPP) while working for DHS. I have experience working directly with the Director of the Radiation Control Program for the State of North Dakota. I also have working relationships with members of Institute of Nuclear Power Operations, Nuclear Regulatory Commission, and the World Association of Nuclear Power Operators.

I am a homegrown North Dakotan, living and working here in Bismarck. I will be available for questions and comments.

Sincerely,

Josh Loosmore





Testimony in Support of

HB 1025

House Energy and Natural Resources

January 16, 2025

TESTIMONY OF

Reice Haase, Director, Department of Water Resources

Chairman Porter, and members of the House Energy and Natural Resources, I am Reice Haase, the Director of the Department of Water Resources. I'm here today to provide testimony in support House Bill 1025.

This bill calls for a study to look into the feasibility, siting, and deployment of advanced nuclear power plants in North Dakota.

The bill also sets up a committee to oversee the study, with members from the energy industry, the Public Service Commission, the Industrial Commission, and the North Dakota House and Senate.

I'd like to request amending the bill to include a representative from the Department of Water Resources to the committee. A nuclear reactor can require between 400-700 gallons of water per megawatt hour of power produced, which equates to billions of gallons of water needed per year. Since water use will be an important part of planning for advanced nuclear power plants, our department can provide valuable input in that regard.

Thank you for your time and the chance to testify. I'm happy to answer any questions you might have.



Chairman Porter and members of the House Energy and Natural Resources Committee,

The Power Companies of North Dakota ("PCND") urges a "Do Pass" recommendation on HB 1025.

PCND is a coalition of the state's leading shareholder-owned gas and electric utilities. Our members include MDU Resources Group, Xcel Energy, Otter Tail Power Company, and ALLETE. Together, PCND members serve over 427,000 North Dakota customers, employ over 1,200 North Dakotans, and manage significant power generation and transmission infrastructure across our state.

Today, we express PCND's strong support for HB 1025, the advanced nuclear energy legislative management study and appropriation. This strategic study will allow North Dakota to assess the viability of siting advanced nuclear facilities and address the most critical factors, including site locations, electric grid connectivity, land use considerations, and economic impacts. By exploring advanced nuclear energy, North Dakota reaffirms its position as a national energy leader and its commitment to adopting innovative energy technologies that benefit its citizens.

PCND members are eager to contribute to the interim study by offering technical expertise and support to ensure the study's success. We believe this effort will pave the way for leveraging advanced nuclear energy to help our member companies continue to deliver affordable, safe, and reliable energy services to North Dakotans.

Accordingly, we strongly urge a "Do Pass" recommendation for HB 1025.

Thank you, Chairman Porter and committee members, for your time and consideration.



Nuclear Energy Institute Comments for Public Record North Dakota House Energy and Natural Resources Committee

The Nuclear Energy Institute (NEI) applauds North Dakota for considering House Bill 1025, a bill that allows for the exploration of nuclear technology. This is an important piece of legislation that will help enable the development, demonstration, and deployment of advanced nuclear power systems. The electricity sector in the United States has undergone significant transformation over the last decade and that transformation will continue. NEI recently conducted a survey of its member utilities and found that these utilities anticipated needing more than 100 gigawatts, equivalent to more than 300 advanced reactors of new nuclear power by 2050 in order to guarantee reliable access to clean energy. Non-electric sectors such as industrial heat and transportation are also considering nuclear energy to transition to a reliable, clean and affordable energy supply. Ensuring that state energy policies are in place that enable commercial deployment of advanced reactors by the early 2030s is essential to ensuring an affordable, secure, and resilient energy sector well into the future.

Supportive state policies such as HB 1025 will have important benefits that reach beyond North Dakota's borders. While the United States once led the world in nuclear energy technology exports, we are no longer the leading supplier of nuclear reactors; we are in a race against other countries to capture a growing international market share, and by creating a pathway to commercial deployment here at home, we will unlock markets for U.S. technology across the globe.

Nuclear power is vital to the energy system

Currently, 94 commercial nuclear power reactors provide nearly 20 percent of America's electricity and more than half of the nation's carbon-free electricity. Because electricity generation from nuclear energy does not release carbon dioxide and other harmful air pollutants, by maintaining a strong nuclear fleet, the United States will not have to choose between the health of its electric grid and the health of its citizens. Nuclear plants run 24 hours a day, 7 days a week producing power with unmatched reliability and have the added benefit of having their fuel on site, only requiring refueling every 18-24 months. This makes nuclear energy the ideal complement to variable generation from wind and solar power. In addition, nuclear plants are hardened facilities that are protected from physical and cyber threats, helping to ensure we have a resilient electricity system in the face of potential disruptions.

New advanced reactor designs are being developed by entrepreneurial U.S. companies seeking to expand the value of nuclear technology to our energy system. These designs will be commercially available this decade and will be ready for large-scale deployment by the early 2030s to meet domestic and global clean energy needs. Enacting state policies that encourage the use of these new nuclear technologies is particularly timely, as the U.S. Energy Information Administration forecasts the retirement of 140 gigawatts of capacity by 2040 across the U.S.² In addition, the EIA estimates that demand for electricity in the U.S. will expand by almost 15 percent during that time. Advanced nuclear plants to

¹ U.S. Energy Information Administration – Electric Power Monthly (January 2023).

² U.S. Energy Information Administration – 2019 Annual Energy Outlook: Table A8.

replace this retired generation and to meet this growing demand can be a vital part of the clean domestic electricity landscape. In fact, a recent Vibrant Clean Energy survey found that utilities were expecting to bring more than 300 gigawatts of advanced nuclear online by 2050.

Focusing only on the need for additional electricity in the U.S. in the upcoming decades would mistakenly overlook the likelihood of and the need for more energy in other sectors, such as transportation, industrial heat and hydrogen. Nuclear is the only clean, reliable and affordable energy source that can produce heat and steam that is needed for many of these processes. Although the U.S. led the world into the age of nuclear energy, we have lost ground to other countries with substantial, state-funded advanced reactor programs. Russia, China and other countries are moving quickly to bring their technology to the international market. Therefore, it is imperative that new U.S. advanced reactors be available soon for both domestic and international deployment, because exports of nuclear energy can create strategic partnerships with other countries.

Nuclear energy is poised to expand in the U.S.

NEI believes our nuclear energy future will include safe long-term operation of our existing nuclear power reactors through subsequent license renewals to allow operation out to eighty years; additional large light water reactors (LWRs); and widespread deployment of advanced reactors including both advanced water-cooled small modular reactors (SMRs) and non-light water reactors.

The existing domestic nuclear fleet is a central part of our nation's critical infrastructure and should not be taken for granted. Policymakers in state capitals and Washington DC have taken action to preserve sixteen reactors that were at risk of closing prematurely, by valuing those reactors for their emissions-free generation. These actions have had the added benefit of preserving more than ten thousand family-wage jobs.

The United States, fueled by private capital and innovation, has recently experienced a surge in advanced reactor technologies with dozens of projects worth billions of dollars being announced over the past year. One thing is clear, states have policies that support and encourage the deployment of advanced reactors, also have companies planning projects, which lead to future jobs and economic growth, in addition to reliable, clean and affordable energy.

Advanced reactors are an economic powerhouse

The electric utility sector in the United States is rapidly evolving. NEI believes it is in the best interest of the U.S. that nuclear power remains a significant and growing supply of clean electricity as this evolution continues. Therefore, it is imperative that the commercial nuclear industry in the U.S. continue to rapidly innovate new products and designs so that these products are available when the market needs them. According to a recent SMR Start report,³ advanced reactors can be a cost competitive and highly valuable part of our future energy system. The report also outlines the tremendous benefits to jobs and the economy, stating:

"Construction and operation of a 400 megawatt SMR plant with multiple reactors is estimated to employ about 600 manufacturing and construction workers for about 4 years and about 200 permanent positions for the 60+ years the SMR operates. The data shows that each permanent

³ http://smrstart.org/wp-content/uploads/2017/09/SMR-Start-Economic-Analysis-APPROVED-2017-09-14.pdf

position creates a multiplier effect resulting in 1.66 additional jobs in the local community and 2.36 additional jobs in the rest of the state. Nuclear jobs pay 36 percent more than average salaries in the local area.

"Based upon experience with a 1,000 MWe nuclear facility, a 400 MWe SMR plant is expected to generate over \$377M in direct and indirect economic output annually. This includes over \$181M in the plant's electricity sales and induced spending at the local, state and national levels of \$7M, \$32M, and \$157M, respectively. The SMR plant is expected to pay about \$6M in state and local taxes and \$27M in federal taxes annually." The advanced reactor supply chain could also create thousands of jobs to support a domestic and international market. SMR Start identified options available to states that wish to support the commercialization of advanced reactors.⁴

Conclusion

We appreciate and applaud the continued support for nuclear energy that inspired HB 1025. With this continued support and the dedication of the industry, NEI is confident that the U.S. will regain its leadership role in nuclear technology and generation.

On behalf of NEI and its members, we thank North Dakota for considering this important legislation. The legislation also will ensure that these economic engines continue to be the backbone of the nation's electric infrastructure. Legislation such as HB 1025 will facilitate the development and deployment of innovative nuclear reactor technologies.

Contact:

Christine Csizmadia

Senior Director, State Government Affairs & Advocacy

Nuclear Energy Institute

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⁴ http://smrstart.org/wp-content/uploads/2017/07/SMR-Start-State-Options-for-New-Nuclear-Approved-2017-06-26.pdf





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Chairman Porter, members of the committee, on behalf of the Energy and Environmental Research Center I appreciate this opportunity to offer comments on House Bill 1025. As a leading developer of cleaner, more efficient energy and environmental technologies, the EERC supports an all-of-the-above approach to developing energy resources. Over the past several years the EERC has been involved with numerous projects to reduce carbon emissions while ensuring reliability, such as carbon capture technology for fossil-fuel electric generation as well as new and emerging fuels such as hydrogen, and options for energy storage.

At the direction of the legislature, and in conjunction with the Lignite Energy Council, the EERC just completed a study on a lignite plant of the future. That study explored regulatory, financial, technological, and other issues related to construction of a new, lignite-fired power facility in North Dakota. This legislation being heard today would implement a similar review for advanced nuclear. As the state of North Dakota explores options for future electric generation - particularly as we look at forecasts for increasing electric load - it is important to fully understand the feasibility, costs, impacts, and the role that nuclear might play in the regional electric grid and overall North Dakota energy industry.

I would note that while the EERC stands ready to lend its expertise to this study, there is language currently within the century code that limits the ability of the State Energy Research Center, and by association the EERC, to conduct research on nuclear energy. However, Sen. Hogue has also introduced Senate Bill 2159 to lift this language, which would allow for our participation should the legislature support that effort.

We appreciate the legislature's ongoing support of energy innovation and pursuing solutions to environmental challenges while growing our energy sector and its contributions to the state. Thank you again for this opportunity to provide comment and I would be happy to answer any questions.



- 1 TESTIMONY OF DAVID HOGUE IN SUPPORT OF HB 1025
- 2 HOUSE ENERGY AND NATURAL RESOURCES COMMITTEE
- 3 COTEAU AB; 9:00 AM
- 4 January 16, 2025

Good morning Chairman Porter and members of the House Energy and Natural
Resources Committee. My name is David Hogue. I am a North Dakota state senator
representing District 38, which includes northwest Minot and the city of Burlington. I
appear before your committee to seek support for House Bill 1025.

HB 1025 is a product of the interim Energy Development and Transmission

Committee ("EDT"). The EDT was given a full range of study subjects during the last interim, including a broad directive to study the development of nuclear energy within the state of North Dakota. As we began our study of all EDT's assigned studies, we realized that the Committee could not fully devote the necessary time to adequately study the potential for development of nuclear energy in the state of North Dakota. We toured the Coal Creek plant owned and operated by Rainbow Energy near Center, North Dakota. We visited the EERC in Grand Forks and reviewed the projects that the EERC is working on. We also toured the Dakota Gasification plant owned by Basin Electric. Finally, we arranged for a tour of Xcel's nuclear facility in Monticello, Minnesota. The Xcel tour was a highly informative review of the facility and its integration with the community of Monticello.

We came to a consensus that the study of nuclear energy must be on North Dakota's energy development agenda and that the complexity and rigors of nuclear

- energy development required a study all its own that should be on-going, akin to other standing interim committees, such as the Water Topics Overview Committee.
- One question that may arise with this proposal is why now? Why study the

 development of nuclear energy in North Dakota? We have abundant (but not infinite)

 supplies of coal, natural gas to generate electricity well into the 21st century.
- Furthermore, nuclear energy is considerably more expensive than coal generation or natural gas generation, so what's the point?
 - Well, I would ask a counterquestion: we don't know when the war on coal will end nor what the outcome will be. We do know there are consistent efforts in Europe, the West, and other locations to decarbonize electricity generation. We also know that our base load power demand is expanding at unprecedented rates. I have visited with one electric distribution cooperative in the northwest quadrant of our state who informs that its baseload demand has doubled in the last ten years and the distribution cooperative expects another doubling in the next ten years. I've also seen a report that electricity energy demand will increase six times faster than overall energy demand.
 - Spending by tech giants on AI is also contributing to rising energy demand.

 Some data centers are consuming as much energy as nuclear power plants generate.
- We often are told that China continues to make massive investment in coal fired
 generation plants, so why should the United States unilaterally "disarm" from coal fired
 generation. But the truth is China is pursuing an "all of the above" energy policy. Of the
 60 nuclear plants under construction around the world today, 45 of them are in China.
 All of these include the so-called "fourth generation" nuclear reactors, those that avoid

- use of long fuel rods and cope with extremely high temperatures without melting. China
- 2 strategy is to reduce its dependence on imported oil and natural gas.
- As many of you know, big tech is bringing nuclear power back to prominence as
- 4 well. Microsoft will spend \$ 1.6 billion to bring a Three Mile Island nuclear reactor back
- on line and purchase its power for 20 years. Microsoft expect to consume 6 times the
- 6 electricity is projected in 2020.
- 7 Of course, the Vogtle nuclear plant is Georgia gives the industry pause. That
- 8 reactor cost \$35 billion, more than double the initial estimate. That, one expects, is an
- 9 anomaly related to the absence of efficient manufacturing and construction processes.
- In Wyoming, Terra Power, an SMR startup backed by Bill Gates, has broken
- ground on its first plant in Wyoming in August of 2024. There are more SMRs planned
- or under construction in the United States than anywhere else in the world, owing in
- 13 large measure to the tech industry.
- 14 Chairman Porter and committee members, I urge a do pass recommendation on
- 15 HB 1025.



Today's Agenda

Nuclear Policy Updates

Advanced Nuclear

Management of Spent Nuclear Fuel

State of the industry

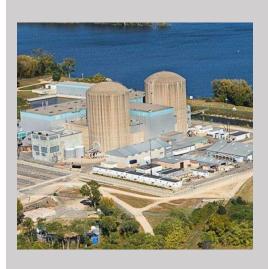
Nuclear Fleet update



Xcel Energy Nuclear Generating Fleet

Over five decades of carbon free power

Prairie Island Nuclear Plant



- 2 Pressurized water reactors
- Unit 1 (1973); Unit 2(1974)
- Licensed through 2033/2034
- 1,100 MW
- 800 Employees;
 1,000 more during refueling

Monticello Nuclear Plant



- 1 Boiling water reactor (1971)
- Licensed through 2050
 - 671 MW
- 650 employees;
 800 more during refueling

Extending Xcel Energy Nuclear Fleet

Monticello Nuclear Generating Plant

- State Certificate of Need (CON) for 10-year extension approved August 2023
- NRC license extension approved Dec 30, 2024
- NRC License expires 2050

Integrated Resource Plan

- Filed Feb 2024
- Preferred plan would extend Monticello by 10 years (to 2050), Prairie Island by 20 years (to 2053/43)

Prairie Island Nuclear Generating Plant

- Current operating license expires 2033/2034
- State CON for 20-year extension filed Feb 2024
 - CON decision will follow IRP decision
- Federal license application to extend will be filed with NRC after CON decision final in 2026

Xcel Energy Nuclear Fleet

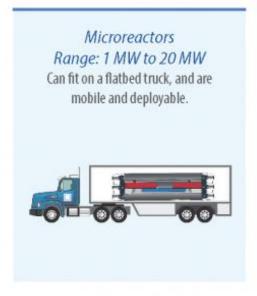
- Nuclear plants > 50% existing carbon-free generation and 1/3 total generation in Upper Midwest
- Nuclear fleet adds important diversity to our generation portfolio
- Critical piece of our reliability requirement > 90% capacity factors

Advanced Nuclear



Advanced Nuclear Reactors Vary in Size

Advanced Reactor Sizes







MW refers to one million watts of electricity.

Advanced Nuclear Tech Overview

Small Modular Nuclear Reactors (SMRs) Zero-Carbon Dispatchable Base Load

- SMRs: Modular fission reactors generally 50 to 300 MW
- Strong federal support: DOE >\$5B over 7 years
- GE BWRX-300 under construction in Canada
- TerraPower, and X-Energy in varying stages of pilot projects
- Project development, licensing and construction timeline estimated at 10-14 years
- Micro Reactors: Factory-built, 1-20 MW, very small footprint

Considerations:

Fuel, supply chain, licensing

Gen III+

Strong Safety Case

Substantial Operating Experience

Design and Licensing Maturity

Conventional Fuel

Gen IV

Gas and molten salt/metal coolant

Includes: "fast" reactors

TRISO/HALEU fuel

2030

2040+



companies

Micro Reactors (< 20MW)



Oklo (shown)
Approximately a dozen in development

LWR SMRs <300MW



NuScale (shown)
GEH X-300
Holtec SMR-160

DOE Advanced Reactor Demonstrations

• **Reactor demonstrations** expected to result in a fully functional advanced nuclear reactor within 7 years of the award. Timeline is a challenge.

Two designs funded by DOE Moving into next phases

April 2024 –
TerraPower
submits
Construction
Permit application
to NRC

January 2025 –
first developer to
receive state
permit for adv
nuclear project

TerraPower Natrium

- Sodium cooled fast reactor, combined with thermal storage
- Pilot location in Kemmerer, Wyoming. It is coal plant conversion
- Early construction activities started in 2024

X-Energy Xe-100

- Four, 80 MWe High temperature gas reactors
- Working with Dow on Pilot
- Ontario Power Generation and X-energy pursue deployment in Canada
- MOU with Saskatchewan company SIMSA for supply chain
- Announced selection of constructors

Notable issues to consider around adv nuclear generation

Risk factors to consider in evaluating new nuclear technologies





Licensing / Regulatory Risk



Construction Risk



Supply Chain



Fuel Supply



Spent Fuel

Long Term Resource Planning Considerations

- Industry is under-going tremendous change with the generation fleet turning over at an accelerating pace
- Currently there are limited dispatchable generation options available long term
 - Long Duration Battery Storage, Natural Gas w/clean fuels or carbon capture, Advanced Nuclear, Geothermal+
- Advanced nuclear is gaining national support
 - Multiple utilities are identifying it as a long-term resource option
 - DOE is developing programmatic support to catalyze development

Management of Spent Nuclear Fuel



Spent Fuel Pools

After producing electricity for 5– 6 years, spent fuel assemblies stored in pools inside the plants. Once cooled sufficiently it is moved to dry storage systems.

Pools have 3-6 feet of concrete with stainless-steel liners.

Pools contain a leakage detection and collection system.



Status of On-Site Storage



30 loaded canisters stored on site

- Supports operations to 2030
- Mid-1980's shipped 33 casks containing ~1,000 assemblies to General Electric facility in Morris, IL



50 loaded casks stored on site

64 approved to support 2033/2034

Managing Spent Nuclear Fuel

Department of Energy responsible for permanent disposal (by law)

- Yucca Mountain not viable (politically)
- DOE Consent Based Siting Program for interim storage
 - Increased grant program to \$26M as a result of the Consolidated Appropriations Act, 2023
 - -13 grantees awarded ~\$2 Million each
 - Goal is to increase stakeholder capacity, dialogue, and education to assist the DOE to develop a community-focused consent-based approach
 - -2025 will begin next phase of program





Consolidated Interim Storage



Holtec Hobbs, New Mexico



Integrated Storage Partners *Andrews, Texas*

- Private Initiative
- Received NRC licenses but legal and state challenges remain
- Will be heard by US Supreme Court in March, decision before recess

State of the Nuclear Industry



State of the Nuclear Industry in the US

94 operating reactors at 53 plants across the country

18.2% of US electricity production in 2023

45.5% of emissionfree electricity generation in 2023

93% capacity factor

\$30.18 MWh industry average generating cost

New Vogtle Unit 4 online in 2024

History of Nuclear Power at Xcel Energy

PLANT	TIME	TYPE	MWe	LOCATION	NOTES
Pathfinder	1966-67	BWR (Boiling Water Reactor)	59	Sioux Falls, South Dakota	Test Reactor used to gain knowledge Site - Angus Anson Plant
Fort St. Vrain	1979-89	HTGR (High Temp Gas Reactor)	330	Platteville, Colorado	 Converted to Natural Gas in 1996 Only Nuclear Plant in CO One of two HGTRs in country Uranium / Thorium Fuel
Monticello	1971 - Current	BWR (Boiling Water Reactor)	671	Monticello, Minnesota	Applied for second 20-year license extension to operate 80 years until 2050
Prairie Island	1973/74 - Current	PWR (Pressurized Water Reactor)	1,100	Red Wing, Minnesota	Plan to apply for second 20-year license extension to operate 80 years until 2053/54

BENEFITS OF NUCLEAR POWER



Clean

Nuclear provides more than 1,700 MW of clean energy



Economic

Nuclear provides \$1B to the local economy



Reliable

Nuclear is always on 24/7 - regardless of the weather. Can flexibly operate.



Safe

Nuclear is highly regulated and secured

Community Involvement

- Monticello and Prairie Island nuclear plants pay significant local taxes, and generate a billion dollars in local economic activity/yr
- The plants support over 1000 jobs directly and supports nearly 2,000 jobs indirectly
- Monticello and Prairie Island are the largest sources of carbon-free energy in Minnesota
- Nuclear employees contribute significantly to the local United Way, and are personally involved in the community

Economic Impact of Xcel Energy's Nuclear Fleet (Monticello and Prairie Island)

\$1 billion

Our plants add \$1 billion to the Minnesota economy each year

6,100

Supports 6,100 Minnesota jobs

\$146 million

Generates \$146 million in local, state and federal taxes each year

\$1 spent **▶** \$2

Each \$1 spent at a plant generates \$2 in economic output

\$237 million

Generates \$237 million in disposable personal income each year

In Summary

Xcel Energy's nuclear fleet is important to our customers, employees and the communities we serve

Nuclear provides around the clock grid stability, voltage support and overall reliability

Existing Nuclear is a key component of our company's future

- · Working to extend Monticello and Prairie Island part of our integrated resource plan
- Advanced nuclear could have a role in the future and we plan to stay engaged with nuclear developers

Finding a solution for spent nuclear fuel is a priority – especially for Xcel Energy

- We continue to provide industry leadership on all initiatives
- Intend to work with the Department of Energy to establish an interim siting program and continue to engage with federal and state policy makers on long-term storage
- Support the Consolidated Interim Storage applicants

The value of studying nuclear now



Xcel Energy®

Q & A

2025 HOUSE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Coteau AB Room, State Capitol

HB 1025 1/16/2025

A BILL for an Act to provide for a legislative management study relating to advanced nuclear energy; and to provide an appropriation.

11:01 a.m. Chairman Porter opened the hearing.

Members Present: Chairman Porter, Vice Chairman Anderson, Vice Chairwoman Novak, Representatives: Dockter, Hagert, Headland, Heinert, Johnson, Marschall, Olson, Ruby, Conmy, Foss

Discussion Topics:

- Data centers
- Modular vs Micro reactors
- 11:01 a.m. Vice Chair Anderson proposed amendment 25.0429.02001 and moved to adopt the Amendment.
- 11:02 a.m. Representative J. Olson seconded the motion.
- 11:09 a.m. Voice Vote motion passed.
- 11:10 a.m. Representative Heinert Proposed Amendment #LC 25.0429.02002.
- 11:11 a.m. Representative Dockter seconded the motion.
- 11:11 a.m. Voice Vote motion passed.
- 11:11 a.m. Representative Dockter moved a Do Pass as Amended and rereferred to Appropriations.
- 11:11 a.m. Representative Hagert seconded the motion

Representatives	Vote
Chairman Todd Porter	Υ
Vice Chairman Dick Anderson	Υ
Vice Chairwoman Anna Novak	Υ
Representative Liz Conmy	Y
Representative Jason Dockter	Y
Representative Austin Foss	Y
Representative Jared Hagert	Y
Representative Craig Headland	Υ
Representative Pat Heinert	Υ
Representative Jorin Johnson	Υ

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Representative Andrew Marschall	Υ
Representative Jeremy Olson	Y
Representative Matthew Ruby	Y

11:12 a.m. Motion passed 13-0-0.

11:12 a.m. Representative D. Anderson will carry the bill.

11:13 a.m. Chairman Porter closed the hearing.

Janae Pinks, Committee Clerk for Leah Kuball, Committee Clerk

25.0429.02003 Title.03000

Sixty-ninth Legislative Assembly of North Dakota Adopted by the Energy and Natural Resources Committee

PROPOSED AMENDMENTS TO

January 16, 2025

M3 (013)

HOUSE BILL NO. 1025

Introduced by

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Legislative Management

(Energy Development and Transmission Committee)

- 1 A BILL for an Act to provide for a legislative management study relating to advanced nuclear
- 2 energy; and to provide an appropriation.

3 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

4 SECTION 1. LEGISLATIVE MANAGEMENT STUDY - ADVANCED NUCLEAR ENERGY.

- During the 2025-26 interim, the legislative management shall study the feasibility, siting, and deployment of advanced nuclear power plants in the state. The study must include evaluation of:
 - a. Siting locations, including potential greenfield and brownfield sites, the identification and assessment of undeveloped land suitable for construction, developed land suitable for rehabilitation and reuse, geographical locations, environmental impacts, proximity to infrastructure, and community acceptance;
 - Electric grid connectivity, including the capacity of the electrical grid and integration of a nuclear power plant to the state, necessary upgrades and expansions to ensure reliability, and recommendations adhering to national and state electric standards and regulations;
 - Land use considerations, including long-term sustainability of proposed sites, environmental and social factors, land use patterns and zoning regulations, potential impacts on local land use, and proposed mitigation strategies;

Sixty-ninth Legislative Assembly

April 2043

1		d.	Economic impacts, including potential tax revenue, job creation during
2			construction and operation of a nuclear facility, economic impacts on local and
3			state economies, and investor appeal; and
4		e.	Small modular and micro nuclear reactors, including the feasibility of constructing
5			and operating small modular and micro reactors to generate power in the state;
6			and
7		f,	Provisions of the North Dakota Century Code that place restrictions on advanced
8			nuclear energy development, if any.
9	2.	The	e study must invite participation from an institution of higher education for
10		ass	sistance in evaluating social interests and community acceptance of potential siting
11		loca	ations.
12	3.	The	e committee must consist of:
13		a.	Two members representing the energy industry, appointed by the legislative
14			management;
15		b.	One member appointed by the public service commission;
16	Í	c.	One member appointed by the industrial commission;
17		d.	One member appointed by the director of the department of water resources:
18	***************************************	е.	Three members of the house of representatives selected by the majority leader of
19			the house of representatives, two of whom must represent the majority faction of
20			the house of representatives and one of whom must represent the minority
21	ï		faction of the house of representatives; and
22		0. <u>f.</u>	Three members of the senate selected by the majority leader of the senate, two
23			of whom must represent the majority faction of the senate and one of whom must
24			represent the minority faction of the senate.
25	4.	The	e legislative management shall report its findings and recommendations, together
26		with	n any legislation required to implement the recommendations, to the seventieth
27		leg	islative assembly.
28	5.	a.	A member of the committee who is not a state employee is entitled to
29			reimbursement for mileage and expenses as provided by law for state officers
30			and employees, to be paid by the legislative council.

Sixty-ninth Legislative Assembly

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- b. A state employee who is a member of the committee is entitled to receive that employee's regular salary and is entitled to reimbursement for mileage and expenses to be paid by the employing agency.
- c. A member of the committee who is a member of the legislative assembly is entitled to receive per diem compensation at the rate provided under section 54-35-10 for each day performing official duties of the committee. The legislative council shall pay the per diem compensation and reimbursement for travel and expenses as provided by law for any member of the committee who is a member of the legislative assembly.

SECTION 2. APPROPRIATION - LEGISLATIVE COUNCIL - ADVANCED NUCLEAR ENERGY STUDY - MATCHING FUNDS - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, and from special funds derived from grants or donations from nonstate sources, the sum of \$500,000, or so much of the sum as may be necessary, to the legislative council for the purpose of contracting for consulting services for the study provided for in section 1 of this Act, for the biennium beginning July 1, 2025, and ending June 30, 2027. The legislative council shall seek matching funds from the private sector to the extent available to assist with the cost of the project. The funding provided in this section is considered a one-time funding item.

Module ID: h_stcomrep_06_014 Carrier: D. Anderson Insert LC: 25.0429.02003 Title: 03000

REPORT OF STANDING COMMITTEE HB 1025

Energy and Natural Resources Committee (Rep. Porter, Chairman) recommends AMENDMENTS (25.0429.02003) and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (13 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1025 was placed on the Sixth order on the calendar.

2025 HOUSE APPROPRIATIONS
HB 1025

2025 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee

Roughrider Room, State Capitol

HB 1025 2/3/2025

A BILL for an Act to provide for a legislative management study relating to advanced nuclear energy; and to provide an appropriation.

8:29 a.m. Chairman Vigesaa called the meeting to order.

Members Present: Members Present: Chairman Vigesaa, Vice Chair Kempenich, Representatives: Anderson, Berg, Bosch, Fisher, Hanson, Louser, Martinson, Meier, Mitskog, Monson, Murphy, Nathe, Nelson, O'Brien, Pyle, Richter, Sanford, Stemen, Swiontek, Wagner.

Members Absent: Representative Brandenburg

Discussion Topics:

- Nuclear Plants in North Dakota
- Micro-Nuclear plants timeline set up
- Small Module Reactors (SMR)
- Other Countries and States with Modular Reactors
- Nuclear Rods
- SMR costs
- SMR power output
- · Electricity demand

8:32 a.m. Representative Dick Anderson introduced the bill and provided testimony #33693.

9:00 a.m. Vice Chairman Kempenich closed the meeting.

Sierra Schartz, Committee Clerk by Madaline Cooper

Nuclear energy

MICRO Reactors are compact reactors that will be small enough to transport by truck and could help solve nuclear challenges in a number of ways.

Factory fabricated can be fabricated and shipped to a location

Transportable smaller unit designs will make them very transportable

Self adjusting simple unit designs will allow micro reactor to self adjust and have passive systems that prevent any potential for over heating or meltdown.

Micro reactors would be able to produce 1-20 megawatts or thermal energy that could be used directly as heat or converted to electric power. The cost of the micro reactor has a capital cost of \$1.98 per watt. This is the capital cost for natural gas reactors. This would be 4 times cheaper than large nuclear reactors in the US. A 20 million reactor produces 10 MW's and fit on a truck.

OTHER BENEFITS

Seamless integration with renewables within micro-grids

Can be used for emergency response to help restore power nit by natural disasters A longer core life, operating for up to 10 years without refueling. Can be quickly removed from sites and exchanged for new one.

Most designs will require fuel with a higher concentration of U-235

SMALL MODULATOR REACTORS (SMR)

Small modular reactors are advanced nuclear reactors that have power capacity of up to 300 megawatts. They are small and can be factory assembled and transported as a unit to a location for installation. Generate heat to produce energy. SMRs are a simpler design and relies on a passive system and inherent safety characteristics of the reactor, such as low power and operating pressure. They will require fueling every 3 to 7 years. In comparison for 1 to 2 years for

conventional plants... some can run for 30 yrs. There are currently over 80 being developed in the world. Russia has a floating reactor made from two 35 megawatts plants. Cost is 3 billion per 100 megawatts.

LARGE NUCLEAR PLANTS

Large nuclear plants generate heat to create steam for steam turbines. They are 300 MW's or larger and cost about 3 billion per 100 MW's. Building a nuclear power plant often spans five to ten years, which can accrue significant costs, , depending on how the initial investments are financed. Because of this high construction cost and lower operations, maintenance, and fuel costs, nuclear plants are used for base load power. There are 410 reactors in the world in operation in 32 countries in the world and 57 under construction. A nuclear plant comparable to coal creek station of 1151 MW's would cost about 25 billion to build vs 2 to 4 billion for a coal plant.

1 MEGAWATT

A household consumes about 1 to KWH of electricity per hour. One MWh can supply electricity to approximately 500 to 1000 households for one hour. An average household consumes around 10,500 KWh annually or about 30 KWh Daily so 1 MWh could power about 300 such homes a day.

2025 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee

Roughrider Room, State Capitol

HB 1025 2/3/2025

A BILL for an Act to provide for a legislative management study relating to advanced nuclear energy; and to provide an appropriation.

10:08 a.m. Chairman Vigesaa called the meeting to order.

Members Present: Members Present: Chairman Vigesaa, Vice Chair Kempenich, Representatives: Anderson, Berg, Bosch, Fisher, Hanson, Louser, Martinson, Meier, Mitskog, Monson, Murphy, Nathe, Nelson, O'Brien, Pyle, Richter, Sanford, Stemen, Swiontek, Wagner.

Members Absent: Representative Brandenburg

Discussion Topics:

- Study for Nuclear Energy
- Energy Development Transmission Committee
- Project recommendations

10:09 a.m. Representative Stemen motioned a verbal amendment to change \$500,000 to \$300,000 in general and special fund.

10:09 a.m. Representative Nelson seconded a motion.

Representatives	Vote
Representative Don Vigesaa	Υ
Representative Keith Kempenich	Υ
Representative Bert Anderson	Υ
Representative Mike Berg	Υ
Representative Glen Bosch	N
Representative Mike Brandenburg	AB
Representative Jay Fisher	N
Representative Karla Rose Hanson	Υ
Representative Scott Louser	Υ
Representative Bob Martinson	Υ
Representative Lisa Meier	Υ
Representative Alisa Mitskog	Υ
Representative David Monson	Υ
Representative Eric J. Murphy	AB
Representative Mike Nathe	Υ
Representative Jon O. Nelson	Υ
Representative Emily O'Brien	Υ
Representative Brandy L. Pyle	Υ
Representative David Richter	Υ

Representative Mark Sanford	Υ
Representative Gregory Stemen	Υ
Representative Steve Swiontek	Υ
Representative Scott Wagner	Υ

Motion passed 19-2-2.

10:24 a.m. Representative Kempenich Do pass as Amended.

10:24 a.m. Representative Mitskog seconded the motion.

Danna antationa	V-4-
Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	Υ
Representative Bert Anderson	N
Representative Mike Berg	N
Representative Glen Bosch	N
Representative Mike Brandenburg	AB
Representative Jay Fisher	N
Representative Karla Rose Hanson	N
Representative Scott Louser	N
Representative Bob Martinson	N
Representative Lisa Meier	N
Representative Alisa Mitskog	Υ
Representative David Monson	Υ
Representative Eric J. Murphy	N
Representative Mike Nathe	Υ
Representative Jon O. Nelson	N
Representative Emily O'Brien	N
Representative Brandy L. Pyle	N
Representative David Richter	N
Representative Mark Sanford	Υ
Representative Gregory Stemen	Υ
Representative Steve Swiontek	N
Representative Scott Wagner	Υ

Motion failed 8-14-1.

10:27a.m. Representative O'Brien moved Do Not Pass as Amended.

10:28 a.m. Representative Nelson seconded.

Representatives	Vote
Representative Don Vigesaa	Υ
Representative Keith Kempenich	Υ
Representative Bert Anderson	Υ
Representative Mike Berg	Υ

House Appropriations Committee HB 1025 02/03/2025 Page 3

Representative Glen Bosch	Υ
Representative Mike Brandenburg	AB
Representative Jay Fisher	Υ
Representative Karla Rose Hanson	Υ
Representative Scott Louser	Υ
Representative Bob Martinson	Υ
Representative Lisa Meier	Υ
Representative Alisa Mitskog	Υ
Representative David Monson	Υ
Representative Eric J. Murphy	AB
Representative Mike Nathe	Υ
Representative Jon O. Nelson	Υ
Representative Emily O'Brien	Υ
Representative Brandy L. Pyle	Υ
Representative David Richter	Υ
Representative Mark Sanford	Υ
Representative Gregory Stemen	Υ
Representative Steve Swiontek	Υ
Representative Scott Wagner	Υ

Motion passed 15-7-1.

Representative O'Brien will carry the bill.

10:31 a.m. Chairman Vigesaa adjourned the meeting.

Bill was back in committee for reconsideration.

Madaline Cooper, Committee Clerk for Sierra Schartz, Committee Clerk

RS 2/3/25

25.0429.03001 Title.04000 Prepared by the Legislative Council staff for House Appropriations Committee

1.13

February 3, 2025

Sixty-ninth Legislative Assembly of North Dakota

PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1025

Introduced by

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Legislative Management

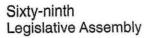
(Energy Development and Transmission Committee)

- 1 A BILL for an Act to provide for a legislative management study relating to advanced nuclear
- 2 energy; and to provide an appropriation.

3 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

4 SECTION 1. LEGISLATIVE MANAGEMENT STUDY - ADVANCED NUCLEAR ENERGY.

- During the 2025-26 interim, the legislative management shall study the feasibility, siting, and deployment of advanced nuclear power plants in the state. The study must include evaluation of:
 - Siting locations, including potential greenfield and brownfield sites, the
 identification and assessment of undeveloped land suitable for construction,
 developed land suitable for rehabilitation and reuse, geographical locations,
 environmental impacts, proximity to infrastructure, and community acceptance;
 - Electric grid connectivity, including the capacity of the electrical grid and integration of a nuclear power plant to the state, necessary upgrades and expansions to ensure reliability, and recommendations adhering to national and state electric standards and regulations;
 - Land use considerations, including long-term sustainability of proposed sites, environmental and social factors, land use patterns and zoning regulations, potential impacts on local land use, and proposed mitigation strategies;





Economic impacts, including potential tax revenue, job creation during 1 d. construction and operation of a nuclear facility, economic impacts on local and 2 3 state economies, and investor appeal; 4 Small modular and micro nuclear reactors, including the feasibility of constructing 5 and operating small modular and micro reactors to generate power in the state; 6 and 7 f. Provisions of the North Dakota Century Code that place restrictions on advanced 8 nuclear energy development, if any. 9 The study must invite participation from an institution of higher education for 2. 10 assistance in evaluating social interests and community acceptance of potential siting 11 locations. 12 The committee must consist of: 3. 13 Two members representing the energy industry, appointed by the legislative a. 14 management; 15 One member appointed by the public service commission; b. 16 One member appointed by the industrial commission; C. 17 d. One member appointed by the director of the department of water resources; 18 e. Three members of the house of representatives selected by the majority leader of 19 the house of representatives, two of whom must represent the majority faction of 20 the house of representatives and one of whom must represent the minority 21 faction of the house of representatives; and 22 Three members of the senate selected by the majority leader of the senate, two 23 of whom must represent the majority faction of the senate and one of whom must 24 represent the minority faction of the senate. 25 4. The legislative management shall report its findings and recommendations, together 26 with any legislation required to implement the recommendations, to the seventieth 27 legislative assembly. 28 5. A member of the committee who is not a state employee is entitled to 29 reimbursement for mileage and expenses as provided by law for state officers 30 and employees, to be paid by the legislative council.

Sixty-ninth Legislative Assembly

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- b. A state employee who is a member of the committee is entitled to receive that employee's regular salary and is entitled to reimbursement for mileage and expenses to be paid by the employing agency.
- c. A member of the committee who is a member of the legislative assembly is entitled to receive per diem compensation at the rate provided under section 54-35-10 for each day performing official duties of the committee. The legislative council shall pay the per diem compensation and reimbursement for travel and expenses as provided by law for any member of the committee who is a member of the legislative assembly.

SECTION 2. APPROPRIATION - LEGISLATIVE COUNCIL - ADVANCED NUCLEAR ENERGY STUDY - MATCHING FUNDS - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$500,000, or so much of the sum as may be necessary, and from special funds derived from grants or donations from nonstate sources, the sum of \$500,000\$300,000, or so much of the sum as may be necessary, to the legislative council for the purpose of contracting for consulting services for the study provided for in section 1 of this Act, for the biennium beginning July 1, 2025, and ending June 30, 2027. The legislative council shall seek matching funds from the private sector to the extent available to assist with the cost of the project. The funding provided in this section is considered a one-time funding item.

2025 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee

Roughrider Room, State Capitol

HB 1025 2/6/2025

A BILL for an Act to provide for a legislative management study relating to advanced nuclear energy; and to provide an appropriation.

10:25 a.m. Chairman Vigesaa called the meeting to order.

Members Present: Chairman Vigesaa, Vice Chairman Kempenich, Representatives Anderson, Berg, Bosch, Brandenburg, Fisher, Hanson, Louser, Martinson, Meier, Mitskog, Monson, Murphy, Nathe, Nelson, O'Brien, Pyle, Richter, Sanford, Stemen, Swiontek, Wagner

Discussion Topics:

- Nuclear Energy
- Reports
- 10:26 a.m. Representative Brandenburg moved to Reconsider Action.
- 10:26 a.m. Representative Mitskog seconded.
- 10:27 a.m. Voice Vote motion passed.
- 10:28 a.m. Representative Brandenburg moved a Do Pass.
- 10:28 a.m. Representative Mitskog seconded.
- 10:31 a.m. Roll Call Vote.

Representatives	Vote
Representative Don Vigesaa	Υ
Representative Keith Kempenich	Α
Representative Bert Anderson	N
Representative Mike Berg	Υ
Representative Glen Bosch	N
Representative Mike Brandenburg	Υ
Representative Jay Fisher	Υ
Representative Karla Rose Hanson	N
Representative Scott Louser	Υ
Representative Bob Martinson	Υ
Representative Lisa Meier	N
Representative Alisa Mitskog	Υ
Representative David Monson	Υ
Representative Eric J. Murphy	N
Representative Mike Nathe	Υ

House Appropriations Committee HB 1025 2/6/2025 Page 2

Representative Jon O. Nelson	N
Representative Emily O'Brien	Υ
Representative Brandy L. Pyle	Υ
Representative David Richter	Υ
Representative Mark Sanford	Υ
Representative Gregory Stemen	Υ
Representative Steve Swiontek	Υ
Representative Scott Wagner	Υ

10:31 a.m. Motion passed 16-6-1.

Representative Mitskog will carry the bill.

10:31 a.m. Chairman Vigesaa closed the meeting.

Sierra Schartz, Committee Clerk

Module ID: h_stcomrep_21_022 Carrier: Mitskog Insert LC: 25.0429.03001 Title: 04000

REPORT OF STANDING COMMITTEE ENGROSSED HB 1025

Appropriations Committee (Rep. Vigesaa, Chairman) recommends **AMENDMENTS** (25.0429.03001) and when so amended, recommends **DO PASS** (16 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). HB 1025 was placed on the Sixth order on the calendar.

2025 SENATE ENERGY AND NATURAL RESOURCES
HB 1025

2025 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Peace Garden Room, State Capitol

HB 1025 3/6/2025

A BILL for an Act to provide for a legislative management study relating to advanced nuclear energy; and to provide an appropriation.

10:39 a.m. Chairman Patten opened the hearing.

Members present: Chairman Patten, Vice Chairman Kessel, Senators Beard, Boehm, Enget, Gerhardt, and Van Oosting.

Discussion Topics:

- ND Energy Ability
- Nuclear Energy Attitude
- Waste Disposal Committee Involvement
- Temporary and Permanent Waste
- Nuclear Waste Transportation Regulations

10:40 a.m. Senator Hogue, District 38, introduced the bill, testified in favor and submitted testimony #39251.

10:51 a.m. Beth Feldner, Community Relations and Government Affairs Manager of Xcel Energy, testified in favor and submitted testimony #39014.

10:55 a.m. Dennis Pathroff, Power Companies of ND, testified in favor and submitted testimony #38635.

10:57 a.m. Tyler Hamman, Assistant Vice President for Strategic Partnerships of EERC testified in favor and submitted testimony #39092.

10:59 a.m. Reice Haase, Director of ND DWR, testified in favor and submitted testimony #38904.

11:01 a.m. Randy Christmann, ND Public Service Commission Chair, testified as neutral and submitted testimony #39044.

11:08 a.m. Chairman Patten closed the hearing.

Elizabeth Reiten for Kendra McCann, Committee Clerk



Chairman Patten and members of the Senate Energy and Natural Resources Committee,

The Power Companies of North Dakota ("PCND") urges a "Do Pass" recommendation on HB 1025.

PCND is a coalition of the state's leading shareholder-owned gas and electric utilities. Our members include MDU Resources Group, Xcel Energy, Otter Tail Power Company, and ALLETE. Together, PCND members serve over 427,000 North Dakota customers, employ over 1,200 North Dakotans, and manage significant power generation and transmission infrastructure across our state.

Today, we express PCND's strong support for HB 1025, the advanced nuclear energy legislative management study and appropriation. This strategic study will allow North Dakota to assess the feasibility, siting, and deployment of advanced nuclear power plants and address the most critical factors, including site locations, electric grid connectivity, land use considerations, and economic impacts. By exploring advanced nuclear energy, North Dakota reaffirms its position as a national energy leader and its commitment to adopting innovative energy technologies that benefit its citizens.

PCND members are eager to contribute to the interim study by offering technical expertise and support to ensure the study's success. We believe this effort will pave the way for leveraging advanced nuclear energy to help our member companies continue to deliver affordable, safe, and reliable energy services to North Dakotans.

Accordingly, we strongly urge a "Do Pass" recommendation for HB 1025.

Thank you, Chairman Patten and committee members, for your time and consideration.



Testimony in Support of

HB 1025

Senate Energy and Natural Resources

March 6, 2025

TESTIMONY OF

Reice Haase, Director, Department of Water Resources

Chairman Patten, and members of the Senate Energy and Natural Resources, I am Reice Haase, the Director of the Department of Water Resources. I'm here today to provide testimony in support House Bill 1025.

This bill calls for a study to look into the feasibility, siting, and deployment of advanced nuclear power plants in North Dakota.

The bill also sets up a committee to oversee the study, with members from the energy industry, the Public Service Commission, the Industrial Commission, and the North Dakota House and Senate.

I'd like to request amending the bill to include a representative from the Department of Water Resources to the committee. A nuclear reactor can require between 400-700 gallons of water per megawatt hour of power produced, which equates to billions of gallons of water needed per year. Since water use will be an important part of planning for advanced nuclear power plants, our department can provide valuable input in that regard.

Thank you for your time and the chance to testify. I'm happy to answer any questions you might have.



300 16th Street SW Minot, ND 58701

March 6, 2025

Chairman Dale Patten
Members of Senate Energy & Natural Resources Committee

North Dakota State Capitol 600 East Boulevard Bismarck, ND 58505-0360

RE: HB 1025

Chairman Patten, Members of the Senate Energy & Natural Resources Committee,

My name is Beth Feldner, and I am here today representing Xcel Energy, the only investorowned utility operating in North Dakota with nuclear generation in our resource mix. We appreciate the opportunity to provide testimony supporting HB 1025, which establishes a public-private interim study to evaluate the feasibility of siting and deploying advanced nuclear power in North Dakota.

For more than 116 years, Xcel Energy has been proud to be the trusted energy provider for residential and commercial customers in North Dakota. We continue to invest strategically to support our economy, build and maintain energy infrastructure, and deliver safe, reliable, and service.

As North Dakota continues to lead in energy production and innovation, this study is critical in ensuring that the state remains at the forefront of energy security and reliability. Xcel Energy has over five decades of experience safely operating nuclear generation, and we understand firsthand the value of always-available baseload power. This study will allow North Dakota to assess whether advanced nuclear technology can complement the state's robust energy resources while leveraging existing infrastructure and workforce expertise.

Importantly, this effort is not just about technology—it is about people. The successful integration of any new energy source requires public understanding and acceptance. The study outlined in HB 1025 will provide the necessary education, data, and engagement to ensure that North Dakotans have a voice in determining their energy future.

Xcel Energy is committed to supporting policymakers as they explore the role nuclear could play in North Dakota. Last summer, we hosted North Dakota legislators for an in-depth discussion on our resource planning, followed by a tour of one of our nuclear facilities. This firsthand experience allowed lawmakers to see the safety, reliability, and potential of nuclear energy up close. Given the strong interest in continuing these conversations, we intend to offer this opportunity again this summer for any legislators who wish to learn more.



The public-private partnership structure of this study is another key benefit. With state leadership actively guiding this process, North Dakota—not external interests—will lead the conversation on whether advanced nuclear fits within the state's energy strategy, economic development goals, and community values. Private industry, including companies like Xcel Energy, brings essential technical expertise and real-world insights, ensuring that any analysis is grounded in practical considerations.

HB 1025 is not a commitment to nuclear generation today but rather a necessary step toward making an informed decision about North Dakota's long-term energy future. Without this study, the state risks missing out on a reliable generation option that could enhance grid reliability, create high-quality jobs, and sustain North Dakota's leadership in energy innovation.

Xcel Energy welcomes the opportunity to contribute our experience to this discussion. We support HB 1025 and urge the committee to advance this bill, ensuring that North Dakota has the information needed to make sound energy policy decisions for the future.

Thank you for your time and consideration. I am happy to answer any questions.

House Bill 1025

Presented by: Randy Christmann, Chair

Public Service Commission

Before: Senate Energy and Natural Resources

Honorable Dale Patten, Chair

Date: March 6, 2025

TESTIMONY

Chair Patten and committee members, I'm Randy Christmann, Chair of the Public Service Commission, here to testify on HB 1025.

The Public Service Commission has reviewed HB 1025 and has no objection to a legislative study. However, I would like to provide the following recommendation to the committee – any study of the feasibility, siting, and deployment of advanced nuclear power plants in the state should include an evaluation of the permanent disposal of spent fuel and waste.

Chair Patten, this concludes my testimony. Thank you for your time and I will be happy to answer any questions.





15 North 23rd Street, Stop 9018 • Grand Forks, ND 58202-9018 • P. 701.777.5000 • F. 701.777.5181 www.undeerc.org

Chairman Patten, members of the committee, on behalf of the Energy & Environmental Research Center we appreciate this opportunity to offer comments on HB 1025. As a leading developer of cleaner, more efficient energy and environmental technologies, the EERC supports an all-of-the-above approach to developing energy resources. Over the past several years the EERC has been involved with numerous projects to reduce carbon emissions while ensuring reliability, such as carbon capture technology for fossil-fuel electric generation as well as new and emerging fuels such as hydrogen, and options for energy storage.

At the direction of the legislature in 2023, and in conjunction with the Lignite Energy Council, the EERC just completed a study on a lignite plant of the future. That study explored regulatory, financial, technological, and other issues related to construction of a new, lignite-fired power facility in North Dakota. This legislation would implement a similar review for advanced nuclear. As the state of North Dakota explores options for future electric generation - particularly as we look at forecasts for increasing electric load - it is important to fully understand the feasibility, costs, impacts, and the role that nuclear might play in the regional electric grid and overall North Dakota energy industry.

As this committee has heard previously, there is language currently within the century code that limits the ability of the State Energy Research Center, and by association the EERC, to conduct research on nuclear energy. That issue is addressed through Senate Bill 2159, which received a unanimous "Do Pass" from this committee, overwhelming support by the full Senate, and is awaiting consideration by the House. Thank you for your support of that legislation which would allow the EERC to lend its expertise to this study.

We appreciate the legislature's ongoing support of energy innovation and pursuing solutions to environmental challenges while growing our energy sector and its contributions to the state. Thank you again for this opportunity to provide comment.



1 TESTIMONY OF DAVID HOGUE IN SUPPORT OF HB 1025

SENATE ENERGY AND NATURAL RESOURCES COMMITTEE

3 10:30 AM

4 March 6, 2025

y or will

Good morning Chairman Patten and members of the Senate Energy and Natural Resources Committee. My name is David Hogue. I am a North Dakota state senator representing District 38, which includes northwest Minot and the city of Burlington. I appear before your committee to seek support for House Bill 1025.

HB 1025 is a product of the interim Energy Development and Transmission

Committee ("EDT"). The EDT was given a full range of study subjects during the last interim, including a broad directive to study the development of nuclear energy within the state of North Dakota. As we began our study of all EDT's assigned studies, we realized that the Committee could not fully devote the necessary time to adequately study the potential for development of nuclear energy in the state of North Dakota. We toured the Coal Creek plant owned and operated by Rainbow Energy near Center, North Dakota. We visited the EERC in Grand Forks and reviewed the projects that the EERC is working on. We also toured the Dakota Gasification plant owned by Basin Electric. Finally, we arranged for a tour of Xcel's nuclear facility in Monticello, Minnesota. The Xcel tour was a highly informative review of the facility and its integration with the community of Monticello.

We came to a consensus that the study of nuclear energy must be on North Dakota's energy development agenda and that the complexity and rigors of nuclear

energy development required a study all its own that should be on-going, akin to other standing interim committees, such as the Water Topics Overview Committee.

HB 1025 proposes a mandatory study of the siting considerations, land use suitability, and electrical grid connectivity, among other issues. The bill contains an appropriation of \$ 300,000 because the Energy Development and Transmission Committee is aware that expertise in studying development of nuclear energy is not organic to our state agencies. We also invite financial participation from the private sector and we thought this would be important as it will help the state measure the interest from the private sector in studying the development of nuclear energy in the state of North Dakota.

As you may know there is growing interest in the development of nuclear energy around the world. In the United States, nuclear reactors provide approximately 20% of US electricity. The nation's first new reactor was completed last year in Georgia and plans are in the works to reopen closed reactors in Michigan, Iowa, Pennsylvania, and South Carolina. Just across our northern border, a company called SaskPower is in an eight-year planning process for a small modular reactor to be located in the Estevan area in the mid 2030s.

President Trump has pledged to fast track permits for new kinds of small modular reactors under development. Without doubt the regulatory environment for nuclear energy is undergoing significant change. North Dakota needs to study nuclear energy to determine whether it has a future in our energy portfolio. Thank you Mr. Chairman and committee members for your attention to this matter.

2025 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Peace Garden Room, State Capitol

HB 1025 3/7/2025

A BILL for an Act to provide for a legislative management study relating to advanced nuclear energy; and to provide an appropriation.

9:41 a.m. Chairman Patten opened the hearing.

Members present: Chairman Patten, Vice Chairman Kessel, Senators Beard, Enget,

Gerhardt, and Van Oosting.

Members Absent: Senator Boehm.

Discussion Topics:

- Energy Waste Disposal
- Waste Management Challenges
- Study Recommendations
- Temporary and On-Site Waste
- Language Additions
- Reduced Waste with New Reactors
- Amount of Waste in a Facility

9:41 a.m. Chairman Patten opened discussion on adding energy waste language into the bill.

9:51 a.m. Chairman Patten closed the hearing.

Elizabeth Reiten for Kendra McCann, Committee Clerk

2025 SENATE STANDING COMMITTEE MINUTES

Energy and Natural Resources Committee

Peace Garden Room, State Capitol

HB 1025 3/13/2025

A BILL for an Act to provide for a legislative management study relating to advanced nuclear energy; and to provide an appropriation.

10:17 a.m. Chairman Patten opened the hearing.

Members present:

Chairman Patten, Vice Chairman Kessel, Senators: Beard, Boehm, Enget, Gerhardt, and Van Oosting.

Discussion Topics:

Nuclear waste storage

10:18 a.m. Senator Kessel introduced proposed amendment and submitted testimony #41343.

10:19 a.m. Senator Kessel moved amendment LC# 25.0429.04001.

10:19 a.m. Senator Boehm seconded.

Senators	Vote
Senator Dale Patten	Υ
Senator Greg Kessel	Υ
Senator Todd Beard	Υ
Senator Keith Boehm	Υ
Senator Mark Enget	Υ
Senator Justin Gerhardt	Υ
Senator Desiree Van Oosting	Υ

Motion Passed 7-0-0.

10:20 a.m. Senator Kessel moved a Do Pass on HB 1125 as amended.

10:20 a.m. Senator Gerhardt seconded the motion.

10:21 a.m. Senator Gerhardt rescinded his second.

10:21 a.m. Senator Kessel restated motion as a Do Pass on HB 1025 as amended.

10:22 a.m. Senator Gerhardt seconded the motion.

Senators	Vote
Senator Dale Patten	Υ
Senator Greg Kessel	Υ
Senator Todd Beard	Υ
Senator Keith Boehm	Υ
Senator Mark Enget	Υ
Senator Justin Gerhardt	Υ
Senator Desiree Van Oosting	Υ

Motion Passed 7-0-0.

10:24 a.m. Senator Beard moved to rerefer to Appropriation committee.

10:24 a.m. Senator Gerhardt seconded.

Senators	Vote
Senator Dale Patten	Υ
Senator Greg Kessel	Υ
Senator Todd Beard	Υ
Senator Keith Boehm	Υ
Senator Mark Enget	Υ
Senator Justin Gerhardt	Υ
Senator Desiree Van Oosting	Υ

Motion Passed 7-0-0.

10:25 a.m. Senator Kessel will carry the bill.

10:25 a.m. Chairman Patten closed the hearing.

Kendra McCann, Committee Clerk

25.0429.04001 Title.05000 Prepared by the Legislative Council staff for Senator Kessel
March 12, 2025

Sixty-ninth Legislative Assembly of North Dakota

PROPOSED AMENDMENTS TO SECOND ENGROSSMENT

REENGROSSED HOUSE BILL NO. 1025

Introduced by

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Legislative Management

(Energy Development and Transmission Committee)

- 1 A BILL for an Act to provide for a legislative management study relating to advanced nuclear
- 2 energy; and to provide an appropriation.

3 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

4 SECTION 1. LEGISLATIVE MANAGEMENT STUDY - ADVANCED NUCLEAR ENERGY.

- During the 2025-26 interim, the legislative management shall study the feasibility, siting, and deployment of advanced nuclear power plants in the state. The study must include evaluation of:
 - Siting locations, including potential greenfield and brownfield sites, the
 identification and assessment of undeveloped land suitable for construction,
 developed land suitable for rehabilitation and reuse, geographical locations,
 environmental impacts, proximity to infrastructure, and community acceptance;
 - Electric grid connectivity, including the capacity of the electrical grid and integration of a nuclear power plant to the state, necessary upgrades and expansions to ensure reliability, and recommendations adhering to national and state electric standards and regulations;
 - Land use considerations, including long-term sustainability of proposed sites, environmental and social factors, land use patterns and zoning regulations, potential impacts on local land use, and proposed mitigation strategies;

1		d.	Economic impacts, including potential tax revenue, job creation during
2			construction and operation of a nuclear facility, economic impacts on local and
3	ñ		state economies, and investor appeal;
4		e.	Temporary and permanent nuclear waste storage, including in-state and out-of-
5			state siting locations;
6	-	f	_Small modular and micro nuclear reactors, including the feasibility of constructing
7			and operating small modular and micro reactors to generate power in the state;
8	îi		and
9		f. g.	Provisions of the North Dakota Century Code that place restrictions on advanced
10			nuclear energy development, if any.
11	2.	The	study must invite participation from an institution of higher education for
12		assi	stance in evaluating social interests and community acceptance of potential siting
13		loca	tions.
14	3.	The	committee must consist of:
15		a.	Two members representing the energy industry, appointed by the legislative
16			management;
17		b.	One member appointed by the public service commission;
18		C.	One member appointed by the industrial commission;
19		d.	One member appointed by the director of the department of water resources;
20		e.	Three members of the house of representatives selected by the majority leader of
21			the house of representatives, two of whom must represent the majority faction of
22			the house of representatives and one of whom must represent the minority
23			faction of the house of representatives; and
24		f.	Three members of the senate selected by the majority leader of the senate, two
25			of whom must represent the majority faction of the senate and one of whom must
26			represent the minority faction of the senate.
27	4.	The	legislative management shall report its findings and recommendations, together
28		with	any legislation required to implement the recommendations, to the seventieth
29		legis	slative assembly.

- a. A member of the committee who is not a state employee is entitled to
 reimbursement for mileage and expenses as provided by law for state officers
 and employees, to be paid by the legislative council.
 - b. A state employee who is a member of the committee is entitled to receive that employee's regular salary and is entitled to reimbursement for mileage and expenses to be paid by the employing agency.
 - c. A member of the committee who is a member of the legislative assembly is entitled to receive per diem compensation at the rate provided under section 54-35-10 for each day performing official duties of the committee. The legislative council shall pay the per diem compensation and reimbursement for travel and expenses as provided by law for any member of the committee who is a member of the legislative assembly.

SECTION 2. APPROPRIATION - LEGISLATIVE COUNCIL - ADVANCED NUCLEAR ENERGY STUDY - MATCHING FUNDS - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$300,000, or so much of the sum as may be necessary, and from special funds derived from grants or donations from nonstate sources, the sum of \$300,000, or so much of the sum as may be necessary, to the legislative council for the purpose of contracting for consulting services for the study provided for in section 1 of this Act, for the biennium beginning July 1, 2025, and ending June 30, 2027. The legislative council shall seek matching funds from the private sector to the extent available to assist with the cost of the project. The funding provided in this section is considered a one-time funding item.

Module ID: s_stcomrep_39_017 Carrier: Kessel Insert LC: 25.0429.04001 Title: 05000

REPORT OF STANDING COMMITTEE REENGROSSED HB 1025

Energy and Natural Resources Committee (Sen. Patten, Chairman) recommends AMENDMENTS (25.0429.04001) and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (7 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1025 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

25.0429.04001 Title. Prepared by the Legislative Council staff for Senator Kessel
March 12, 2025

Sixty-ninth Legislative Assembly of North Dakota

PROPOSED AMENDMENTS TO SECOND ENGROSSMENT

REENGROSSED HOUSE BILL NO. 1025

Introduced by

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Legislative Management

(Energy Development and Transmission Committee)

- 1 A BILL for an Act to provide for a legislative management study relating to advanced nuclear
- 2 energy; and to provide an appropriation.

3 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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- 1. During the 2025-26 interim, the legislative management shall study the feasibility, siting, and deployment of advanced nuclear power plants in the state. The study must include evaluation of:
 - Siting locations, including potential greenfield and brownfield sites, the
 identification and assessment of undeveloped land suitable for construction,
 developed land suitable for rehabilitation and reuse, geographical locations,
 environmental impacts, proximity to infrastructure, and community acceptance;
 - Electric grid connectivity, including the capacity of the electrical grid and integration of a nuclear power plant to the state, necessary upgrades and expansions to ensure reliability, and recommendations adhering to national and state electric standards and regulations;
 - Land use considerations, including long-term sustainability of proposed sites, environmental and social factors, land use patterns and zoning regulations, potential impacts on local land use, and proposed mitigation strategies;

1 Economic impacts, including potential tax revenue, job creation during 2 construction and operation of a nuclear facility, economic impacts on local and 3 state economies, and investor appeal; 4 Temporary and permanent nuclear waste storage, including in-state and out-ofe. 5 state siting locations; 6 Small modular and micro nuclear reactors, including the feasibility of constructing 7 and operating small modular and micro reactors to generate power in the state; 8 and 9 Provisions of the North Dakota Century Code that place restrictions on advanced f.g. 10 nuclear energy development, if any. 11 2. The study must invite participation from an institution of higher education for 12 assistance in evaluating social interests and community acceptance of potential siting 13 locations. 14 3. The committee must consist of: 15 a. Two members representing the energy industry, appointed by the legislative 16 management; 17 b. One member appointed by the public service commission; 18 C. One member appointed by the industrial commission; 19 d. One member appointed by the director of the department of water resources; 20 Three members of the house of representatives selected by the majority leader of e. 21 the house of representatives, two of whom must represent the majority faction of 22 the house of representatives and one of whom must represent the minority 23 faction of the house of representatives; and 24 Three members of the senate selected by the majority leader of the senate, two 25 of whom must represent the majority faction of the senate and one of whom must 26 represent the minority faction of the senate. 27 4. The legislative management shall report its findings and recommendations, together 28 with any legislation required to implement the recommendations, to the seventieth 29 legislative assembly.

- a. A member of the committee who is not a state employee is entitled to
 reimbursement for mileage and expenses as provided by law for state officers
 and employees, to be paid by the legislative council.
 - b. A state employee who is a member of the committee is entitled to receive that employee's regular salary and is entitled to reimbursement for mileage and expenses to be paid by the employing agency.
 - c. A member of the committee who is a member of the legislative assembly is entitled to receive per diem compensation at the rate provided under section 54-35-10 for each day performing official duties of the committee. The legislative council shall pay the per diem compensation and reimbursement for travel and expenses as provided by law for any member of the committee who is a member of the legislative assembly.

SECTION 2. APPROPRIATION - LEGISLATIVE COUNCIL - ADVANCED NUCLEAR ENERGY STUDY - MATCHING FUNDS - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$300,000, or so much of the sum as may be necessary, and from special funds derived from grants or donations from nonstate sources, the sum of \$300,000, or so much of the sum as may be necessary, to the legislative council for the purpose of contracting for consulting services for the study provided for in section 1 of this Act, for the biennium beginning July 1, 2025, and ending June 30, 2027. The legislative council shall seek matching funds from the private sector to the extent available to assist with the cost of the project. The funding provided in this section is considered a one-time funding item.

2025 SENATE APPROPRIATIONS
HB 1025

2025 SENATE STANDING COMMITTEE MINUTES

Appropriations - Education and Environment Division Sakakawea Room, State Capitol

HB 1025 3/24/2025

A BILL for an Act to provide for a legislative management study relating to advanced nuclear energy; and to provide an appropriation.

10:04 a.m. Chairman Sorvaag called the meeting to order.

Members Present: Chairman Ronald Sorvaag, Senator Cole Conley, Senator Donald Schaible, Senator Paul J. Thomas.

Absent: Senator Scott Meyer.

Discussion Topics:

- Production of Nuclear Energy in ND.
- · Funding Options for Study.
- Instantaneous availability of nuclear energy.

10:05 a.m. Senator Hogue, District 38, testified in favor.

10:13 a.m. Senator Schaible moved a Do Pass.

10:13 a.m. Senator Conley seconded the motion.

Senators	Vote
Senator Ronald Sorvaag	Υ
Senator Cole Conley	Υ
Senator Scott Meyer	AB
Senator Donald Schaible	Υ
Senator Paul J. Thomas	Υ

Motion Passes: 4-0-1

Senator Schaible will carry the bill.

10:21 a.m. Chairman Sorvaag adjourned the meeting.

Steven Hall, Committee Clerk

2025 SENATE STANDING COMMITTEE MINUTES

Appropriations Committee

Harvest Room, State Capitol

HB 1025 3/28/2025

A BILL for an Act to provide for a legislative management study relating to advanced nuclear energy; and to provide an appropriation.

9:59 a.m. Vice-Chairman Erbele opened the hearing.

Members Present: Vice-Chairman Erbele, and Senators Burckhard, Cleary, Conley, Davison, Dever, Dwyer, Magrum, Mathern, Meyer, Schaible, Sickler, Sorvaag, Thomas, Wanzek.

Members Absent: Chairman Bekkedahl.

Discussion Topics:

- Nuclear Energy Study in Legislative Council Budget
- Potential Studies by Private Companies

9:59 a.m. Senator Schaible introduced the bill.

10:01 a.m. Senator Schaible moved a Do Pass.

10:01 a.m. Senator Sorvaag seconded the motion.

Senators	Vote
Senator Brad Bekkedahl	Α
Senator Robert Erbele	Υ
Senator Randy A. Burckhard	Υ
Senator Sean Cleary	Υ
Senator Cole Conley	Υ
Senator Kyle Davison	Υ
Senator Dick Dever	Υ
Senator Michael Dwyer	Υ
Senator Jeffery J. Magrum	N
Senator Tim Mathern	Υ
Senator Scott Meyer	Υ
Senator Donald Schaible	Υ
Senator Jonathan Sickler	Υ
Senator Ronald Sorvaag	Υ
Senator Paul J. Thomas	Ν
Senator Terry M. Wanzek	Υ

Motion Passed 13-2-1.

Senator Kessel will carry the bill.

Senate Appropriations Committee HB 1025 03/28/2025 Page 2

10:06 a.m. Vice-Chairman Erbele closed the hearing.

Elizabeth Reiten, Committee Clerk

REPORT OF STANDING COMMITTEE REENGROSSED AND AMENDED HB 1025 (25.0429.05000)

Module ID: s_stcomrep_50_005

Carrier: Kessel

Appropriations Committee (Sen. Bekkedahl, Chairman) recommends **DO PASS** (13 YEAS, 2 NAYS, 1 ABSENT OR EXCUSED AND NOT VOTING). HB 1025 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.