

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 78 - Public Service Commission Law

54H.

(A) AN ELECTRIC COMPANY MAY NOT COMMENCE ANY MODIFICATION TO AN ELECTRIC GENERATING STATION AFTER JANUARY 1, 1980, WITHOUT PRIOR APPROVAL BY THE PUBLIC SERVICE COMMISSION IN ACCORDANCE WITH THE PROVISIONS OF ~~THIS SECTION. §§ 54A AND 54B OF THIS ARTICLE, EXCEPT THAT:~~

(1) UNLESS THE COMMISSION OTHERWISE ORDERS, THE APPLICATION SHALL BE FILED NOT LESS THAN 180 DAYS PRIOR TO THE DATE AT WHICH THE MODIFICATION IS TO COMMENCE, AND THE COMMISSION SHALL RENDER ITS DECISION NOT LATER THAN 150 DAYS AFTER THE FILING OF THE APPLICATION.

(2) THE APPLICANT SHALL PROVIDE ALL INFORMATION RELATING TO THE MODIFICATION, INCLUDING DETAILED PLANS AND SPECIFICATIONS, AND ALL INFORMATION RELATING TO THE IMPACT OF THE MODIFICATION ON AIR QUALITY, TO THE COMMISSION AND TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, NOT LATER THAN 180 DAYS PRIOR TO THE DATE ON WHICH ANY MODIFICATION IS TO COMMENCE.

IN THIS SECTION, "MODIFICATION" MEANS ANY PHYSICAL ALTERATION OR REPLACEMENT OF, OR OTHER CHANGE TO, THE FACILITIES AT AN ELECTRIC GENERATING STATION, OR THE CHANGE IN THE FUEL USED BY THE STATION, WHICH COULD RESULT IN ANY CHANGE OF AIR EMISSIONS FROM THE STATION OR FROM ANY GENERATING UNIT OF THE STATION. THE TERM "MODIFICATION" DOES NOT INCLUDE ROUTINE MAINTENANCE OR REPAIRS OF THE FACILITIES OF AN ELECTRIC GENERATING STATION OR ANY CHANGE ~~IN THE FUEL~~ WHICH WOULD RESULT IN ~~EMISSION~~ AMBIENT AIR QUALITY LEVELS LESS THAN OR EQUAL TO THOSE LEVELS WHICH WERE A BASIS FOR THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PREVIOUSLY ISSUED UNDER § 54A OF THIS ARTICLE.

~~(B) NOT LATER THAN 180 DAYS PRIOR TO THE DATE AT WHICH ANY MODIFICATION SUBJECT TO THIS SECTION IS TO COMMENCE, THE APPLICANT SHALL SUBMIT TO THE COMMISSION SUCH INFORMATION REGARDING THE MODIFICATION AS THE COMMISSION MAY REQUEST. THE APPLICANT SHALL ALSO PROVIDE A COPY OF ALL INFORMATION RELATING TO THE MODIFICATION, AND THE IMPACT ON AIR QUALITY FROM THE MODIFICATION, TO THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE. NOT LATER THAN 90 DAYS AFTER IT HAS RECEIVED THIS INFORMATION, THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL ADVISE THE COMMISSION WHETHER THE APPLICANT HAS DEMONSTRATED THAT THE MODIFICATION IS IN COMPLIANCE WITH ALL APPLICABLE AIR POLLUTION LAWS AND REGULATIONS. NOT LATER THAN 150 DAYS AFTER IT HAS RECEIVED THE APPLICATION, AND BASED ON THE ADVICE OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AND OTHER INFORMATION AND~~