

- ~~2. PAYING AT LEAST 150% OF THE FEDERAL MINIMUM WAGE;~~
- ~~3. LOCATED IN MARYLAND;~~
- ~~4. NEWLY CREATED, AS A RESULT OF THE ESTABLISHMENT OF A NEW FACILITY IN A SINGLE LOCATION IN MARYLAND, AND~~
- ~~5. FILLED.~~

~~(III) "CERTIFIED EXPENSES" MEANS COSTS CERTIFIED BY THE DEPARTMENT AS DIRECTLY RELATED TO:~~

- ~~1. THE ACQUISITION, CONSTRUCTION, AND INSTALLATION OF EQUIPMENT DESIGNED TO REDUCE THE LEVEL OF AIR OR WATER POLLUTION RELEASED AS A RESULT OF THE OPERATION OF A RETROFITTED FACILITY; OR~~
- ~~2. THE CONSTRUCTION OF A NEW FACILITY, INCLUDING OBLIGATIONS INCURRED FOR MATERIALS, LABOR, CONTRACTORS, SUBCONTRACTORS, OR BUILDERS AND THE COSTS OF ACQUIRING LAND OR RIGHTS IN LAND.~~

~~(IV) "NEW FACILITY" MEANS A FACILITY LOCATED IN MARYLAND THAT:~~

- ~~1. USES MARYLAND MINED COAL TO GENERATE ENERGY;~~
- ~~2. IS NOT A RETROFITTED FACILITY;~~
- ~~3. IS CONSTRUCTED AFTER JANUARY 1, 2007, AT A COST OF NOT LESS THAN \$350,000,000 IN CERTIFIED EXPENSES;~~
- ~~4. RESULTS IN THE CREATION OF AT LEAST 50 CERTIFIED EMPLOYMENT POSITIONS; AND~~
- ~~5. IS DESIGNED TO EXCEED THE AIR EMISSION STANDARDS REQUIRED IN BOTH STATE AND FEDERAL LAWS AND REGULATIONS IN EFFECT AT THE TIME THE FACILITY BEGINS OPERATIONS.~~

~~(V) "RETROFITTED FACILITY" MEANS AN EXISTING FACILITY LOCATED IN MARYLAND THAT INSTALLS OR IMPROVES ITS POLLUTION CONTROL EQUIPMENT IF:~~

- ~~1. THE INSTALLATION OR IMPROVEMENT OCCURS AFTER JANUARY 1, 2007, AT A COST OF NOT LESS THAN \$100,000,000 IN CERTIFIED EXPENSES; AND~~
- ~~2. THE FACILITY IS DESIGNED TO EXCEED THE AIR EMISSION STANDARDS REQUIRED IN BOTH STATE AND FEDERAL LAWS AND REGULATIONS IN EFFECT AT THE TIME THE FACILITY BEGINS OPERATIONS AFTER INSTALLATION OR IMPROVEMENT OF THE POLLUTION CONTROL EQUIPMENT.~~

~~(b) (2) (1) (I) [A] SUBJECT TO THE LIMITATIONS OF THIS PARAGRAPH SUBSECTION, A public service company, including any multijurisdictional public~~