

Section ~~2-402~~ 7-205(a)

Annotated Code of Maryland

(1996 Replacement 1998 Volume and 2005 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article — Environment~~2-402.~~

~~The Department may not require a permit or registration for:~~

- ~~(1) Any machinery or equipment that normally is used in a mobile manner;~~
- ~~(2) Any boiler used exclusively to operate steam engines for farm and domestic use;~~
- ~~(3) The construction OR MODIFICATION of a generating station constructed by a person that is required to obtain a certificate of public convenience and necessity [under §§ 7-207 and 7-208] IN ACCORDANCE WITH §§ 7-205, 7-207, AND 7-208 of the Public Utility Companies Article and regulations adopted by the Public Service Commission;~~
- ~~(4) Actual construction of buildings, apart from any possible emission producing machinery housed in the buildings;~~
- ~~(5) Any parking garage; or~~
- ~~(6) Any parking lot.~~

Article - Public Utility Companies7-205.

(a) (1) In this section, “modification” means a physical alteration of, replacement of, or other change to the facilities at a power plant, or a change in the fuel used by the plant, that could result in a change of the air emissions from the plant or from a generating unit of the plant.

(2) “Modification” does not include:

(i) routine maintenance or repairs of the facilities of a power plant;
or

(ii) a change that [would result in ambient air quality levels less than or equal to the levels that were a basis for the issuance of a prior certificate of public convenience and necessity under § 7-207 of this subtitle] THE COMMISSION DETERMINES WILL NOT RESULT IN AN INCREASE IN AIR EMISSIONS FROM THE PLANT OR FROM A GENERATING UNIT OF THE PLANT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2006.