

(2) In addition to the notification, the Secretary shall file the record of the operating permit proceeding and the Department's reasons for requiring the installation of pollution control equipment or change in method of operation.

(f) (1) The Commission shall conduct the hearing required by subsection (e) of this section in the manner set forth in §§ 7-205 and 7-207 of the Public Utility Companies Article.

(2) The Department shall incorporate the Commission's order rendered in accordance with § 7-206 of the Public Utility Companies Article.

(g) Except as provided in subsection (h) of this section, the Secretary shall consult with the Public Service Commission concerning the impact of any operating permit, order or injunction on the supply and cost of electricity in this State before issuing any operating permit, issuing any order, or seeking any injunction under this subtitle that:

(1) Significantly impacts the supply of electricity from a generating station owned or operated by [an electric company] A ANY PERSON THAT IS REQUIRED TO OBTAIN A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY; or

(2) Significantly affects the cost of electricity provided by [an electric company] A ANY PERSON THAT IS REQUIRED TO OBTAIN A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY.

(h) (1) The Secretary need not consult with the Commission before issuing an order or seeking an injunction if the Secretary concludes that the delay during consultation could harm public health or the environment.

(2) If the Secretary does not consult with the Commission before the issuance of the order or of the seeking of an injunction, the Secretary shall consult with the Commission as soon thereafter as practicable.

(i) The failure of the Department or the Public Service Commission to comply with this section is not a defense to an action against [an electric company] A PERSON to enforce, to obtain, or to punish for noncompliance with any permit, certificate, order, or injunction.

(j) The Secretary may adopt regulations to carry out the provisions of this section. The Secretary may not require a permit nor require the payment of a permit fee in violation of the federal Clean Air Act.

Article - Public Utility Companies

7-205.

(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: