

CONTROL EQUIPMENT OR A CHANGE IN THE METHOD OF OPERATION UNLESS CONSOLIDATION WOULD BE INCONSISTENT WITH THE PROCEDURES SET FORTH IN THE FEDERAL CLEAN AIR ACT.

(E) (1) BEFORE ISSUING AN OPERATING PERMIT WHICH REQUIRES A ~~MODIFICATION~~ THE INSTALLATION OF POLLUTION CONTROL EQUIPMENT OR A CHANGE IN THE METHOD OF OPERATION OF THE GENERATING STATION OR UNIT, THE SECRETARY SHALL NOTIFY THE APPLICANT AND THE PUBLIC SERVICE COMMISSION ~~OF THE MODIFICATION REQUIREMENT~~ AND REQUEST THAT THE PUBLIC SERVICE COMMISSION INSTITUTE A HEARING ~~ON THE MODIFICATION~~ AS REQUIRED BY ARTICLE 78, § 54L OF THE CODE.

(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 ~~MODIFICATION~~ 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 ARTICLE 78, §§ 54A AND 54-1 OF THE CODE.

(2) THE DEPARTMENT SHALL INCORPORATE THE COMMISSION'S ~~MODIFICATION~~ ORDER RENDERED IN ACCORDANCE WITH ARTICLE 78, § 54L OF THE CODE INTO THE OPERATING PERMIT.

(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 ~~CAPACITY OF~~ SUPPLY OF ELECTRICITY FROM A GENERATING STATION OWNED OR OPERATED BY AN ELECTRIC COMPANY; OR

(2) SIGNIFICANTLY AFFECTS THE COST OF ELECTRICITY PROVIDED BY AN ELECTRIC COMPANY.

(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.