

**Article - Natural Resources**

3-128.

(b) The Service may not be deemed to be a public service company within the meaning of [Article 78 of the Code] THE PUBLIC UTILITY COMPANIES ARTICLE, and, except as provided in this section, the jurisdiction and powers of the Public Service Commission do not extend to the Service.

3-304.

In cooperation with the Public Service Commission, the Maryland Energy Administration, and the Secretary of the Environment, the Secretary shall implement a long-range environmental evaluation of power plant building sites projected for at least 10 years. To facilitate providing adequate electric power on reasonable schedules at reasonable costs with the least possible depreciation of the quality of Maryland's environment, the following responsibilities and procedures are set forth:

(2) Upon receipt of a ten-year plan from the Public Service Commission, the Secretary with the advice of the Secretary of the Environment and the Director of the Maryland Energy Administration and in accordance with paragraph (1) of this section and [Article 78, § 54B(b) of the Code] § 7-201 OF THE PUBLIC UTILITY COMPANIES ARTICLE, shall prepare and submit, within 180 days a preliminary environmental statement on each possible and proposed site, including associated transmission routes. The statement, on the basis of the environmental research program, shall include but not be limited to the following considerations:

- (i) The environmental impact at the proposed site;
- (ii) Any adverse environmental effects which cannot be avoided if the proposed site is accepted;
- (iii) Possible alternatives to the proposed site;
- (iv) Any irreversible and irretrievable commitments of resources which would be involved at the proposed site if it is approved;
- (v) Where appropriate, a discussion of problems and objections raised by other State and federal agencies and local entities;
- (vi) A plan for monitoring environmental effects of the proposed action and provision for remedial actions if the monitoring reveals unanticipated environmental effects of significant adverse consequences; and
- (vii) The ability to adequately provide emergency response plans to residents if a nuclear power plant is considered for location at a site.

The Secretary shall state to the Public Service Commission which possible and proposed sites, based on preliminary environmental statement, justify an unsuitable classification. Unless the electric company whose proposed site is involved offers the Secretary substantial evidence to the contrary, the site shall be deleted from the plan. The site may be included in a subsequent ten-year plan.