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§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:

(1) The Public Service Commission shall assemble and evaluate annually the long–range plans of Maryland’s public electric companies regarding generating needs and means for meeting those needs. Beginning January 1, 1972, the Chairman of the Public Service Commission shall forward annually to the Secretary a ten–year plan of possible and proposed sites, including associated transmission routes, for the construction of new electric power plants within the State and extensions of existing plants.

(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 § 7–201 of the Public Utilities 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.

(3) The Secretary with the advice of the Director of the Maryland Energy Administration and the Secretary of the Environment shall initiate a detailed investigation of any site proposed in the ten-year plan which appears desirable or acceptable on the basis of preliminary environmental statements. With respect to any site in the plan on which authorized construction has not commenced by July 1, 1974, at least two years before construction is estimated to begin and if the preponderance of newly offered scientific evidence does not justify a revised classification as unsuitable, the Secretary shall publish a detailed environmental statement on the site. The statement shall consider and include information developed in the program outlined in § 3-303 of this subtitle.

(4) The Secretary, with the advice of the Director of the Maryland Energy Administration, the Secretary of the Environment and the Director of Planning, shall publish on a biennial basis, commencing July 1, 1972, a cumulative environmental impact report on all electric power plants operating in the State. The report shall include a section specifying the changes that can occur as additional electric power plants are constructed in accordance with the ten-year plan. It shall include recommendations to the Governor which delineate State environmental policy and objectives. The Director of Planning and the Director of the Maryland Energy Administration shall jointly include a section devoted exclusively to the question of growth and the specific growth related factors which necessitate specific additional increments of electric energy by development of a site in the ten-year plan. In preparing this section, they shall consider the projected estimates and recommendations of electric company representatives.

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