

TABLED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 729

AMENDMENT NO. A16
(to be filled in by
Principal Clerk)

S729-ATD-180 [v.6]

Page 1 of 2

Comm. Sub. [YES]
Amends Title [YES]
Fourth Edition

Date _____, 2014

Representative Baskerville

1 moves to amend the bill on page 1, lines 2 through 4,
2 by rewriting those lines to read:

3 "AN ACT TO (1) PROHIBIT RECOVERY OF COSTS RELATED TO THE
4 MANAGEMENT OF COAL COMBUSTION RESIDUALS AND UNLAWFUL
5 DISCHARGES FROM COAL COMBUSTION RESIDUALS SURFACE
6 IMPOUNDMENTS;"

7
8 and by renumbering the Long Title accordingly;

9
10 and on page 3, lines 5 through 32, by rewriting those lines to read:

11
12 **"PART I. PROHIBIT RECOVERY OF COSTS RELATED TO THE MANAGEMENT**
13 **OF COAL COMBUSTION RESIDUALS AND UNLAWFUL DISCHARGES FROM**
14 **COAL COMBUSTION RESIDUALS SURFACE IMPOUNDMENTS**

15 **SECTION 1.** Article 7 of Chapter 62 of the General Statutes is amended by adding
16 a new section to read:

17 **"§ 62-133.13. Recovery of costs related to the management of coal combustion residuals**
18 **and unlawful discharges from coal combustion residuals surface**
19 **impoundments to the surface waters of the State.**

20 (a) For the purposes of this section, "coal combustion residuals surface impoundment"
21 has the same meaning as in G.S. 130A-309.201. For the purposes of this section, "costs related
22 to unlawful discharges to the surface waters of the State" include any corrective actions
23 required of the electric public utility under State or federal law.

24 (b) The Commission shall not allow an electric public utility to recover from the retail
25 electric customers of the State any of the following costs:

26 (1) Costs incurred on or after January 1, 2014, that are related to the
27 management of coal combustion residuals disposed of in coal combustion
28 residuals surface impoundments, including costs associated with complying
29 with the provisions of Part 2I of Article 9 of Chapter 130A of the General
30 Statutes.

31 (2) Costs incurred on or after January 1, 2014, that are related to an unlawful
32 discharge to the surface waters of the State from a coal combustion residuals



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1 surface impoundment, unless the Commission determines the discharge was
2 due to an event of force majeure."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____