

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE PRINCIPAL CLERK

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HOUSE DRH20261-TD-17 (03/12)

Short Title: No Recovery for Coal Ash Costs. (Public)

Sponsors: Representative Ager.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT RECOVERY OF COSTS RELATED TO MANAGEMENT OF
3 COAL COMBUSTION RESIDUALS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 62-133.13 reads as rewritten:

6 "§ 62-133.13. Recovery of costs related to unlawful discharges from coal combustion
7 residuals surface impoundments to the surface waters of the ~~State~~State, and
8 costs related to the management of coal combustion residuals.

9 (a) The Commission shall not allow an electric public utility to recover from the retail
10 electric customers of the ~~State~~State the following costs:

11 (1) ~~costs~~Costs resulting from an unlawful discharge to the surface waters of the
12 State from a coal combustion residuals surface impoundment, unless the
13 Commission determines the discharge was due to an event of force majeure.

14 (2) Costs related to the management of coal combustion residuals disposed of in
15 coal combustion residuals surface impoundments, including costs associated
16 with complying with the provisions of Part 2I of Article 9 of Chapter 130A
17 of the General Statutes.

18 (b) For the purposes of this section, "coal combustion residuals surface impoundments"
19 has the same meaning as in G.S. 130A-309.201. For the purposes of this section, "unlawful
20 discharge" means a discharge that results in a violation of State or federal surface water quality
21 standards."

22 SECTION 2. This act is effective when it becomes law.

