

# ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 71

**A4**

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

S71-ARI-68 [v.5]

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Amends Title [NO]  
Second Edition

Date \_\_\_\_\_, 2016

Representative MILLIS

1 moves to amend the bill on page 4, lines 17 through 40,  
2 by rewriting those lines to read:

3  
4 **SECTION 1.(a)** G.S. 130A-309.211 is amended by adding a new subsection to read:  
5 "(c1) Provision of Permanent Water Supply. – As soon as practicable, but no later than  
6 October 1, 2017, the owner of a coal combustion residuals surface impoundment shall execute a  
7 memorandum of agreement or other binding agreement with the Department of Environmental  
8 Quality to establish permanent replacement water supplies for: (i) each household with a drinking  
9 water supply well for which sampling and water quality analysis indicates that the well exceeds  
10 federal drinking water standards or groundwater quality standards for constituents associated with  
11 the presence of the impoundment; and (ii) each household with a drinking water supply well that  
12 is located in an area in which contamination resulting from constituents associated with the  
13 presence of a coal combustion residuals impoundment is expected to migrate, as demonstrated by  
14 groundwater modeling, and hydrogeologic, geologic, and geotechnical investigations of the site,  
15 conducted pursuant to subsections (c) and (d) of G. S. 130A-309.214. Preference shall be given to  
16 permanent replacement water supplies by connection to public water supplies, however, if the  
17 State Water Infrastructure Authority determines that connection to a public water supply to a  
18 particular household would be cost-prohibitive, the State Water Infrastructure Authority shall  
19 authorize provision of a permanent replacement water supply to that household through  
20 installation of a filtration system. For households for which filtration systems are installed, the  
21 impoundment owner shall be responsible for periodic required maintenance of the filtration  
22 system. No later than September 1, 2017, an impoundment owner shall submit information on  
23 permanent replacement water supplies proposed to be provided to each household to the State  
24 Water Infrastructure Authority, including, at a minimum, the type of permanent water supply  
25 proposed, the location of the household and its proximity to the nearest connection point to a  
26 public water supply, and projected cost of the permanent water supply option proposed for the  
27 household. Projects involving permanent replacement water supplies by connection to public  
28 water supplies shall be deemed approved by the State Water Infrastructure Authority for this  
29 purpose, however, the need for other State and local permits and approvals shall not be obviated  
30 by such approval. For projects involving installation of a filtration system, the State Water  
31 Infrastructure Authority shall evaluate information submitted by the impoundment owner to  
32 determine whether connection to a public water supply is cost-prohibitive, and render a decision to



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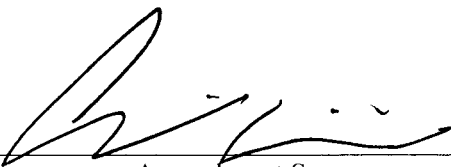
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1 approve or disapprove the plan, including written findings of fact, no later than December 1,  
2 2017."

3       **SECTION 1.(b)** This section is effective when it becomes law. Requirements for  
4 establishment of a permanent alternative water supply under subsection (a) of this Section shall  
5 apply only to households with drinking water supply wells in existence on the date this act  
6 becomes effective."  
7

SIGNED \_\_\_\_\_  
  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

**The official copy of this document, with signatures  
and vote information, is available in the  
House Principal Clerk's Office**