

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H

1

HOUSE BILL 732

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

Sponsors: Representative Ager (Primary Sponsor).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Rules, Calendar, and Operations of the House.

April 15, 2015

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT RECOVERY OF COSTS RELATED TO MANAGEMENT OF
COAL COMBUSTION RESIDUALS.

The General Assembly of North Carolina enacts:

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

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

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

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

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

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

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

