

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

**H.B. 732**  
**Apr 14, 2015**  
**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.

