



N.C. Department of Environment and Natural Resources

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DENR requires Duke Energy to address coal ash issues

RALEIGH – As part of implementing Governor Pat McCrory’s recent executive order on coal ash, state officials are requiring that Duke Energy provide plans for excavating inactive coal ash storage ponds at four of its facilities.

Four letters the N.C. Department of Environment and Natural Resources issued to Duke Energy Wednesday include directives that address excavating coal ash from four sites, and increasing drinking water testing near ash ponds at all 14 facilities statewide.

Wednesday’s letters are the state’s first steps in carrying out McCrory’s Aug. 1 executive order on coal ash. The governor issued the order after proposed legislation did not pass during the short session of the General Assembly.

“We are taking immediate action to address the decades-old problem of coal ash cleanup,” McCrory said. “Until we have comprehensive legislation in place, we will continue to be vigilant in ensuring we’re doing everything in our power to protect public health and the environment.”

DENR’s four letters address:

- Excavation plans at four facilities with coal ash storage ponds. The state is calling on Duke Energy to submit by Nov. 15 coal ash excavation plans for inactive coal ash impoundments at the utility’s Asheville, Riverbend, Dan River and Sutton facilities. Under the plans, coal ash removal would begin within 60 days of receiving the required permits and authorizations from the state.
- Increased testing of drinking water and groundwater near all of Duke Energy’s ash ponds. Duke Energy must submit groundwater assessment plans and conduct well water and surface water receptor surveys for all 14 of its coal ash facilities. The receptor surveys are to be submitted by Oct. 14.
- Increased inspections of the coal ash impoundment dams and the piping systems within the dams. DENR is requesting that Duke Energy begin increasing its inspections of coal ash ponds to check for signs of deterioration of the ash ponds as well as improper operation of the wastewater treatment system in the pond or other conditions that could pose a health risk.
- The state’s plans to reopen wastewater permits at the Allen, Buck, Marshall, Lee, Weatherspoon, Mayo, and Roxboro facilities. DENR anticipates modifying the permits to include additional terms and conditions sufficient to eliminate unauthorized wastewater discharges at the facilities.

McCrory’s Executive Order 62 on the coal ash facilities can be found at <http://bit.ly/1sFalz1>. The Division of Water Resources’ letters sent to Duke Energy Wednesday can be found under the “Correspondence with Duke Energy” heading on a department webpage devoted to coal ash and the Feb. 2 spill at the Dan River plant: <http://portal.ncdenr.org/web/guest/dan-river-documents>.

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Other recent actions DENR is taking on coal ash

State dam safety officials have issued deficiency notices for eight Duke Energy facilities after state-ordered engineering assessments revealed leaking pipes and other problems in the dams at several coal ash storage ponds.

The notices of deficiency require Duke Energy to provide the state with repair plans by October for deteriorating piping systems at the Belews Creek, Mayo, Marshall, Buck, Lee, Cape Fear and Asheville facilities.

The state issued the deficiency notices to Duke Energy after state-ordered engineering assessments revealed minor leaks in piping in the coal ash dams as well as the spillway systems at the eight facilities. Most of the deficiency notices were sent to Duke Energy this week.

None of the leaks or other concerns has been identified as posing an imminent threat to the structural integrity of the dams, state officials said. While the notices are not enforcement actions, the state could take enforcement action, including fines, if Duke Energy does not provide the required repair plans on time.

All the deficiency notices will be posted later on DENR's website on a page devoted to coal ash and the Feb. 2 spill at the Dan River plant in Eden: <http://portal.ncdenr.org/web/guest/dan-river-spill>.

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