

# Coal Ash Bill Critique

The bill (SB 729) sets out a weak process for cleaning up some of the coal ash dumps, giving too much control to Duke Energy and their DENR cronies. It doesn't address major components for a safe and just clean-up. NC WARN is working to make sure coal ash clean-up meets the following objectives:

1. Clean up ALL of the ash ponds
2. Clean them up NOW
3. Duke Energy pays for all clean-up, not its customers
4. Any clean-up effort needs to protect communities around the ash pond, downstream, on transportation routes and any receiving disposal site

## Details

The bill only requires coal ash to be removed from 4 of the 14 coal ash dumps in North Carolina. The fate of the other 10 is unclear. If deemed "low risk," by state decision makers, the coal ash could be "capped in place," which would remove water from the unlined pits and a tarp would be placed over the ash, allowing toxic metals to continue leaching into our groundwater.

The bill will allow Duke Energy, which posted a record \$609 million in profits last quarter, to charge utility customers for the costs of clean-up rather than shareholders, who have benefited financially from the unlawful handling of the waste. After the spill at the Dan River, Duke Energy CEO Lynn Good stated that the cost could add \$20 a month to the average power bill. This decision has been left to the North Carolina Utilities Commission, which has repeatedly approved rate hikes anytime the company has asked for them.

The task of overseeing the clean-up remains in the hands of a politically appointed Coal Ash Commission and the North Carolina Department of the Environment and Natural Resources, the same agency that allowed Duke Energy to violate state and federal law for decades and is currently being investigated by a federal grand jury for their actions leading to the current crisis.