

Southern Environmental Law Center: North Carolina Coal Ash Timeline

2012: After filing enforcement actions, the Southern Environmental Law Center and South Carolina conservation groups secure settlements requiring South Carolina utilities to remove their coal ash from unlined pits in South Carolina.

October 2012: SELC and North Carolina conservation groups petition North Carolina's Environmental Management Commission to require Duke Energy to remove its coal ash from its leaking, unlined pits.

2013: Over the opposition of NC DEQ and Duke Energy, SELC and North Carolina conservation groups bring legal actions under the federal Clean Water Act to require Duke Energy to remove its coal ash from unlined, leaking pits across the state. After NC DEQ files state actions at Duke's request to try to block the Clean Water Act suits, SELC and North Carolina citizen groups join the state court proceeding to ensure water pollution laws are enforced.

February 2014: Duke Energy's Dan River coal ash lagoons fail, spilling over 20 million gallons of coal ash polluted water and 39,000 tons of coal ash into the Dan River.

2014: Federal grand jury investigates DEQ and Duke Energy's coal ash practices in North Carolina. Thereafter, Duke Energy agrees to excavate the coal ash from three of its sites where SELC and NC conservation groups have brought legal actions (Asheville, Riverbend, and Sutton) and the Dan River site.

August 2014: North Carolina legislature passes the first version of the Coal Ash Management Act, but requires excavation only of the four sites Duke Energy has already agreed to excavate.

May 2015: Duke Energy's operating companies plead guilty 18 times to 9 coal ash crimes committed at sites across the state, are put under nationwide criminal probation, and are fined over \$100 million.

2016: Duke Energy agrees to excavate three additional sites litigated by SELC and North Carolina conservation groups: Lee, Cape Fear, and Weatherspoon. State court orders the cleanups.

2016: In March, thousands of North Carolinians participate in public hearings and submit comments calling for NC DEQ to require Duke Energy to excavate its unlined, leaking coal ash pits. In May, NC DEQ decides that under the 2014 Coal Ash Management Act, Duke Energy must excavate all of its unlined coal ash sites. DEQ and Duke Energy ask the legislature to amend the law, and the legislature changes the Coal Ash Management Act to require excavation of only the three additional sites Duke Energy has agreed to excavate and delays other decisions until 2019.

September 2016: SELC and North Carolina conservation groups settle a Clean Water Act suit against Duke Energy by requiring all of its coal ash to be excavated from Duke Energy's Buck site in Salisbury.

January 2019: Virginia's governor and legislative leaders announce legislation to require Dominion to excavate all of its coal ash from all of its unlined pits in the state. The legislation is passed and signed by Virginia's governor in March.

January 2019: Under Governor Cooper, NC DEQ holds a series of public meetings at the six remaining sites where Duke Energy is not yet required to excavate coal ash from unlined, leaking pits. Hundreds of people attend and call on DEQ to require Duke Energy to move its coal ash to safe, dry, lined storage.

April 1, 2019: NC DEQ requires Duke Energy to remove the coal ash from its remaining six unlined, leaking sites.