



State of North Carolina

PAT McCRORY
GOVERNOR

August 1, 2014

EXECUTIVE ORDER NO. 62

ADDRESSING COAL ASH IN NORTH CAROLINA

WHEREAS, the issue of coal ash storage has not been adequately addressed in North Carolina for more than six decades;

WHEREAS, on February 2, 2014, an estimated 39,000 tons of coal ash was released into the Dan River following the failure of a stormwater pipe under a utility coal ash impoundment pond in Eden, North Carolina;

WHEREAS, addressing the issue of coal ash is necessary for the protection of the health and safety of the public;

WHEREAS, the General Assembly has considered, but has not yet passed, legislation that would address the issue of coal ash in North Carolina;

WHEREAS, as Governor, I have an obligation to protect public health and safety within the existing statutory framework.

NOW, THEREFORE, by the power vested in me as Governor by the Constitution and laws of North Carolina, **IT IS ORDERED**:

Section 1. Policy

In order to protect ground water and drinking water from adverse impacts from coal ash impoundments at publicly-owned electric utilities throughout North Carolina, the North Carolina Department of Environment and Natural Resources is hereby instructed to continue to implement all regulations and laws that:

1. Expeditiously assess coal combustion products impoundments at public electric utilities;
2. Immediately initiate a survey of drinking water wells to determine any contamination from coal combustion products impoundments;
3. Take appropriate action to halt any violations of the law where necessary;
4. Mandate remediation plans for all facilities where violations are found;
5. Continue to prosecute active lawsuits in furtherance of this Order;

Section 2. Reports

The Department shall present interim reports to the Governor every 120 days.

This declaration is effective immediately and shall remain in effect until rescinded.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this 1st day of August in the year of our Lord two thousand and fourteen, and of the Independence of the United States of America the two hundred and thirty-nine.


Pat McCrory
Governor

ATTEST:


Elaine F. Marshall
Secretary of State

