NC Files More Lawsuits Against Duke Energy

RALEIGH, N.C. (AP) — The state of North Carolina has filed additional lawsuits against Duke Energy seeking to force the utility to address water pollution coming from coal ash at 12 power plants.

The state Department of Environment and Natural Resources filed two lawsuits Friday in Wake and Mecklenburg counties that expand the state's litigation to all 14 of Duke's coal-fired plants in North Carolina.

The state says water monitoring at the 12 additional plants showed chemical levels that exceed safety standards, and that inspectors have seen liquid seepage from ash ponds that permits don't allow.

Ash contains metals that can be toxic in high doses. Elements such as arsenic and boron occur naturally, but the lawsuits link their presence at the plants to ash. It claims the pollution will seriously endanger residents' health if it's not cleaned up.

Duke Energy contends its plants comply with water-discharge permits.

"This action does not indicate that water quality has changed dramatically over the decades these plants have operated safely," said utility spokeswoman Erin Culbert.

Duke will close seven of its coal plants by year's end, and that will ultimately resolve many questions, Culbert said. The plants' ash ponds will be properly closed, she said, without addressing whether the company will remove the ash as environmentalists want.

At newer coal plants, ash is dry-stored in lined landfills instead of ponds.

Last month, Duke Energy and the state proposed a settlement in the earlier lawsuit involving its Asheville plant and Riverbend plant in Gaston County. Environmental regulators contend those plants are contaminating Mountain Island Lake, threatening Charlotte's water supply. The settlement calls for Duke to assess the sources and extent of contamination at both plants and pay a $99,000 fine. A 30-day public comment period closed Wednesday.

Environmentalists say the settlement doesn't go far enough.

Each of the two lawsuits filed Friday names six plants. They are in Catawba, Chatham, Gaston, New Hanover, Person, Robeson, Rockingham, Rutherford, Rowan, Stokes, and Wayne counties.

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