



**Roy Cooper**  
Governor

**Pamela B. Cashwell**  
Secretary

May 21, 2024

Shonta Dunston  
North Carolina Department of Commerce  
Utilities Commission  
4325 Mail Service Center  
Raleigh, NC 27699-4325

**Re: SCH File # 24-E-4600-0270 Joint Application of Duke Energy Progress, LLC and North Carolina Electric Membership Corporation for a Certificate of Public Convenience and Necessity to Construct a 1,360 MW Natural Gas-Fueled Combined Cycle Electric Generating Facility in Person County, NC. (NCUC Docket No. E-2 Sub 1318).**

**The li**

Dear Shonta Dunston:

The above referenced environmental impact information has been reviewed through the State Clearinghouse under the provisions of the North Carolina Environmental Policy Act.

Attached to this letter are comments made in the review of this document. Because of the nature of the comments, it has been determined that no further State Clearinghouse review action on your part is needed for compliance with the North Carolina Environmental Policy Act. The attached comments should be taken into consideration in project development.

If you have any questions, please do not hesitate to contact me at (984) 236-0000.

Sincerely,

KADISHA MOLYNEAUX  
State Environmental Review Clearinghouse

Attachments

**Mailing**  
1301 Mail Service Center | Raleigh, NC 27699-1301



[ncadmin.nc.gov](http://ncadmin.nc.gov)

**Location**  
116 West Jones St. | Raleigh NC 27603  
984-236-0000 T

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May 23 2024

Control No.: 24-E-4600-0270

Date Received: 4/12/2024

County.: PERSON

Agency Response: 5/13/2024

Review Closed: 5/13/2024

LYN BILES

CLEARINGHOUSE COORDINATOR

DEPT OF ENVIRONMENTAL QUALITY

Project Information

Type: State Environmental Policy Act ironmental Review

Applicant: North Carolina Department of Commerce

Project Desc.: Joint Application of Duke Energy Progress, LLC and North Carolina Electric Membership Corporation for a Certificate of Public Convenience and Necessity to Construct a 1,360 MW Natural Gas-Fueled Combined Cycle Electric Generating Facility in Person County, NC. (NCUC Docket No. E-2 Sub 1318).

The link to this docket on our website is:

<https://starw1.ncuc.net/NCUC/page/Dockets/portal.aspx>; type in "E-2 Sub 1318" to see all filings in this docket

As a result of this review the following is submitted:

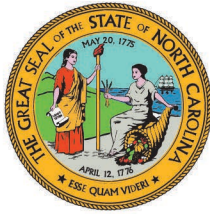
No Comment

Comments Below

Documents Attached

Reviewed By: LYN BILES

Date: 5/21/2024



NORTH CAROLINA  
*Environmental Quality*

ROY COOPER  
*Governor*

ELIZABETH S. BISER  
*Secretary*

To: Kadisha Molyneaux  
State Clearinghouse  
NC Department of Administration

From: Lyn Biles  
Division of Environmental Assistance and Customer Service  
Washington Regional Office

Re: 24-0270  
Environmental Review - Joint Application of Duke Energy Progress,  
LLC and North Carolina Electric Membership Corporation for a  
Certificate of Public Convenience and Necessity to Construct a 1,360  
MW Natural Gas-Fueled Combined Cycle Electric Generating Facility,  
Docket No. E-2 Sub 1318.  
Person County

Date: May 18, 2024

The proposal for the mentioned project has been reviewed by the Department of Environment Quality. After analyzing the information provided, our agencies have identified several permits that may be required. You'll find the comments attached for your review.

We are always available to assist the applicant with any doubts or concerns.

Thank you for giving us the opportunity to respond.

Attachments



North Carolina Department of Environmental Quality  
217 West Jones Street | 1601 Mail Service Center | Raleigh, North Carolina 27699-1601  
919.707.8600

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May 23 2024

State of North Carolina Department of Environmental Quality  
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: Raleigh  
 Project Number: 24-0270 Due Date: 5/7/2024  
 County: Person

After review of this project, it has been determined that the DEQ permit(s) and/or approvals indicated may need to be obtained for this project to comply with North Carolina Law. Questions regarding these permits should be addressed to the Regional Office indicated on the reverse of the form. All applications, information and guidelines relative to these plans and permits are available from the same Regional Office.

	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (Statutory time limit)
<input type="checkbox"/>	Permit to construct & operate wastewater treatment facilities, non-standard sewer system extensions & sewer systems that do not discharge into state surface waters.	Application 90 days before begins construction or award of construction contracts. On-site inspection may be required. Post-application technical conference usual.	30 days (90 days)
<input type="checkbox"/>	Permit to construct & operate, sewer extensions involving gravity sewers, pump stations and force mains discharging into a sewer collection system	Fast-Track Permitting program consists of the submittal of an application and an engineer's certification that the project meets all applicable State rules and Division Minimum Design Criteria.	30 days (N/A)
<input type="checkbox"/>	NPDES - permit to discharge into surface water and/or permit to operate and construct wastewater facilities discharging into state surface waters.	Application 180 days before begins activity. On-site inspection. Pre-application conference usual. Additionally, obtain permit to construct wastewater treatment facility granted after NPDES. Reply time, 30 days after receipt of plans or issue of NPDES permit-whichever is later.	90-120 days (N/A)
<input type="checkbox"/>	Water Use Permit	Pre-application technical conference usually necessary.	30 days (N/A)
<input type="checkbox"/>	Well Construction Permit	Complete application must be received, and permit issued prior to the installation of a groundwater monitoring well located on property not owned by the applicant, and for a large capacity (>100,000 gallons per day) water supply well.	7 days (15 days)
<input type="checkbox"/>	Dredge and Fill Permit	Application copy must be served on each adjacent riparian property owner. On-site inspection. Pre-application conference usual. Filling may require Easement to Fill from N.C. Department of Administration and Federal Dredge and Fill Permit.	55 days (90 days)
<input checked="" type="checkbox"/>	Permit to construct & operate Air Pollution Abatement facilities and/or Emission Sources as per 15 A NCAC (2Q.0100 thru 2Q.0300)	Application must be submitted, and permit received prior to construction and operation of the source. If a permit is required in an area without local zoning, then there are additional requirements and timelines (2Q.0113).	90 days
<input checked="" type="checkbox"/>	Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900	N/A	60 days (90 days)
<input checked="" type="checkbox"/>	Demolition or renovations of structures containing asbestos material must be in compliance with 15 A NCAC 20.1110 (a) (1) which requires notification and removal prior to demolition. Contact Asbestos Control Group 919-707-5950	Please Note - The Health Hazards Control Unit (HHCU) of the N.C. Department of Health and Human Services, must be notified of plans to demolish a building, including residences for commercial or industrial expansion, even if no asbestos is present in the building.	60 days (90 days)
<input checked="" type="checkbox"/>	The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion & sedimentation control plan will be required if one or more acres are to be disturbed. Plan must be filed with and approved by applicable Regional Office (Land Quality Section) at least 30 days before beginning activity. A NPDES Construction Stormwater permit (NCG010000) is also usually issued should design features meet minimum requirements. A fee of \$100 for the first acre or any part of an acre. An express review option is available with additional fees.		20 days (30 days)
<input type="checkbox"/>	Sedimentation and erosion control must be addressed in accordance with NCDOT's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable Stormwater conveyances and outlets.		(30 days)
<input type="checkbox"/>	Sedimentation and erosion control must be addressed in accordance with _____ <b>Local Government's</b> approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable Stormwater conveyances and outlets.		Based on Local Program
<input type="checkbox"/>	Compliance with 15A NCAC 04B .0125 – Buffers Zones for Trout Waters shall have an undisturbed buffer zone 25 feet wide or of sufficient width to confine visible siltation within the twenty-five percent (25%) of the buffer zone nearest the land-disturbing activity, whichever is greater.		
<input checked="" type="checkbox"/>	Compliance with 15A NCAC 2H .0126 - NPDES Stormwater Program which regulates three types of activities: Industrial, Municipal Separate Storm Sewer System & Construction activities that disturb ≥1 acre.		30-60 days (90 days)
<input type="checkbox"/>	Compliance with 15A NCAC 2H 1000 -State Stormwater Permitting Programs regulate site development and post-construction stormwater runoff control. Areas subject to these permit programs include all 20 coastal counties, and various other counties and watersheds throughout the state.		45 days (90 days)

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May 23 2024

State of North Carolina Department of Environmental Quality  
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: Raleigh  
 Project Number: 24-0270 Due Date: 5/7/2024  
 County: Person

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May 23 2024

	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (Statutory time limit)
<input type="checkbox"/>	Mining Permit	On-site inspection usual. Surety bond filed with DEQ Bond amount varies with type mine and number of acres of affected land. Affected area greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.	30 days (60 days)
<input checked="" type="checkbox"/>	Dam Safety Permit	If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to prepare plans, inspect construction, and certify construction is according to DEQ approved plans. May also require a permit under mosquito control program. And a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of \$200.00 must accompany the application. An additional processing fee based on a percentage, or the total project cost will be required upon completion.	30 days (60 days)
<input type="checkbox"/>	Oil Refining Facilities	N/A	90-120 days (N/A)
<input type="checkbox"/>	Permit to drill exploratory oil or gas well	File surety bond of \$5,000 with DEQ running to State of NC conditional that any well opened by drill operator shall, upon abandonment, be plugged according to DEQ rules and regulations.	10 days N/A
<input type="checkbox"/>	Geophysical Exploration Permit	Application filed with DEQ at least 10 days prior to issue of permit. Application by letter. No standard application forms.	10 days N/A
<input type="checkbox"/>	State Lakes Construction Permit	Application fee based on structure size is charged. Must include descriptions & drawings of structure & proof of ownership of riparian property	15-20 days N/A
<input checked="" type="checkbox"/>	401 Water Quality Certification	Compliance with the T15A 02H .0500 Certifications are required whenever construction or operation of facilities will result in a discharge into navigable water as described in 33 CFR part 323.	60 days (130 days)
<input checked="" type="checkbox"/>	Compliance with Catawba, Goose Creek, Jordan Lake, Randleman, Tar Pamlico or Neuse Riparian Buffer Rules is required. Buffer requirements: <a href="http://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/401-wetlands-buffer-permits/401-riparian-buffer-protection-program">http://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/401-wetlands-buffer-permits/401-riparian-buffer-protection-program</a>		
<input type="checkbox"/>	Nutrient Offset: Loading requirements for nitrogen and phosphorus in the Neuse and Tar-Pamlico River basins, and in the Jordan and Falls Lake watersheds, as part of the nutrient-management strategies in these areas. DWR nutrient offset information: <a href="http://deq.nc.gov/about/divisions/water-resources/planning/nonpoint-source-management/nutrient-offset-information">http://deq.nc.gov/about/divisions/water-resources/planning/nonpoint-source-management/nutrient-offset-information</a>		
<input type="checkbox"/>	CAMA Permit for MAJOR development	\$250.00 - \$475.00 fee must accompany application	75 days (150 days)
<input type="checkbox"/>	CAMA Permit for MINOR development	\$100.00 fee must accompany application	22 days (25 days)
<input type="checkbox"/>	Abandonment of any wells, if required must be in accordance with Title 15A. Subchapter 2C.0100.		
<input type="checkbox"/>	Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation.		
<input checked="" type="checkbox"/>	Plans and specifications for the construction, expansion, or alteration of a public water system must be approved by the Division of Water Resources/Public Water Supply Section prior to the award of a contract or the initiation of construction as per 15A NCAC 18C .0300 et. seq., Plans and specifications should be submitted to 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. All public water supply systems must comply with state and federal drinking water monitoring requirements. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days
<input checked="" type="checkbox"/>	If existing water lines will be relocated during the construction, plans for the water line relocation must be submitted to the Division of Water Resources/Public Water Supply Section at 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days
<input type="checkbox"/>	Plans and specifications for the construction, expansion, or alteration of the _____ water system must be approved through the _____ delegated plan approval authority. Please contact them at _____ for further information.		

State of North Carolina Department of Environmental Quality  
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: Raleigh  
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 County: Person

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May 23 2024

Other Comments (attach additional pages as necessary, being certain to comment authority)

Division	Initials	No comment	Comments	Date Review
DAQ	SH	<input type="checkbox"/>	See checked boxes above. Duke Energy Progres, LLC - Roxboro Steam Electric Plant currently holds a Title V air permit (Fac ID No. 7300029). Please wait for the permit application in-house to be approved before bringing equipment on-site.	4/18/2024
DWR-WQROS (Aquifer & Surface)	&	<input type="checkbox"/>	It is recommended to schedule a site visit with 401 Water quality staff to discuss the proposal and to ensure compliance will be maintained per 401 surface Water requirements, surface water standards and buffer rules. If wetland, riparian buffers or stream impacts are proposed, this project will need to comply with/secure a 404 permit from the USACE, obtain a 401 Water Quality Certification authorization and a riparian buffer authorization. &	/ /
DWR-PWS	TP	<input type="checkbox"/>	See checked boxes.	4/16/2024
DEMLR (LQ & SW)	CA	<input type="checkbox"/>	See checked boxes above.	5/9/2024
DWM – UST	MRP	<input checked="" type="checkbox"/>		5/6/2024
Other Comments		<input type="checkbox"/>		/ /

**REGIONAL OFFICES**

Questions regarding these permits should be addressed to the Regional Office marked below.

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> <b>Asheville Regional Office</b><br>2090 U.S. 70 Highway<br>Swannanoa, NC 28778-8211<br>Phone: 828-296-4500<br>Fax: 828-299-7043  | <input type="checkbox"/> <b>Fayetteville Regional Office</b><br>225 Green Street, Suite 714,<br>Fayetteville, NC 28301-5043<br>Phone: 910-433-3300<br>Fax: 910-486-0707 | <input type="checkbox"/> <b>Mooresville Regional Office</b><br>610 East Center Avenue, Suite 301,<br>Mooresville, NC 28115<br>Phone: 704-663-1699<br>Fax: 704-663-6040 |
| <input checked="" type="checkbox"/> <b>Raleigh Regional Office</b><br>3800 Barrett Drive,<br>Raleigh, NC 27609<br>Phone: 919-791-4200<br>Fax: 919-571-4718 | <input type="checkbox"/> <b>Washington Regional Office</b><br>943 Washington Square Mall,<br>Washington, NC 27889<br>Phone: 252-946-6481<br>Fax: 252-975-3716           | <input type="checkbox"/> <b>Wilmington Regional Office</b><br>127 Cardinal Drive Ext.,<br>Wilmington, NC 28405<br>Phone: 910-796-7215<br>Fax: 910-350-2004             |
|  | <input type="checkbox"/> <b>Winston-Salem Regional Office</b><br>450 Hanes Mill Road, Suite 300,<br>Winston-Salem, NC 27105<br>Phone: 336-776-9800<br>Fax: 336-776-9797 |  |



NORTH CAROLINA  
*Environmental Quality*

ROY COOPER  
*Governor*  
ELIZABETH S. BISER  
*Secretary*  
MICHAEL SCOTT  
*Director*

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May 23 2024

Date: April 22, 2024  
To: Michael Scott, Director  
Division of Waste Management  
Through: Janet Macdonald  
Inactive Hazardous Sites Branch  
From: Katie C Tatum  
Inactive Hazardous Sites Branch  
Subject: SEPA Project # 24-0270 NC Department of Commerce, Person County, North Carolina

The Superfund Section has reviewed the proximity of sites under its jurisdiction to the NC Department of Commerce project. Proposed project is for the construction a 1,360 MW Natural Gas-Fueled Combined Cycle Electric Generating Facility in Roxboro, Docket No. E-2 Sub 1318.

No (0) Superfund Section sites and no (0) Brownfields Program Sites were identified within one mile of the project as shown in the attached report.

Please contact Janet Macdonald at 919.707.8349 if you have any questions concerning the Superfund Section review portion of this SEPA/NEPA inquiry.



North Carolina Department of Environmental Quality | Division of Waste Management  
217 West Jones Street | 1646 Mail Service Center | Raleigh, North Carolina 27699-1646  
919.707.8200





# Superfund & Brownfield Sites SEPA/NEPA Review Report

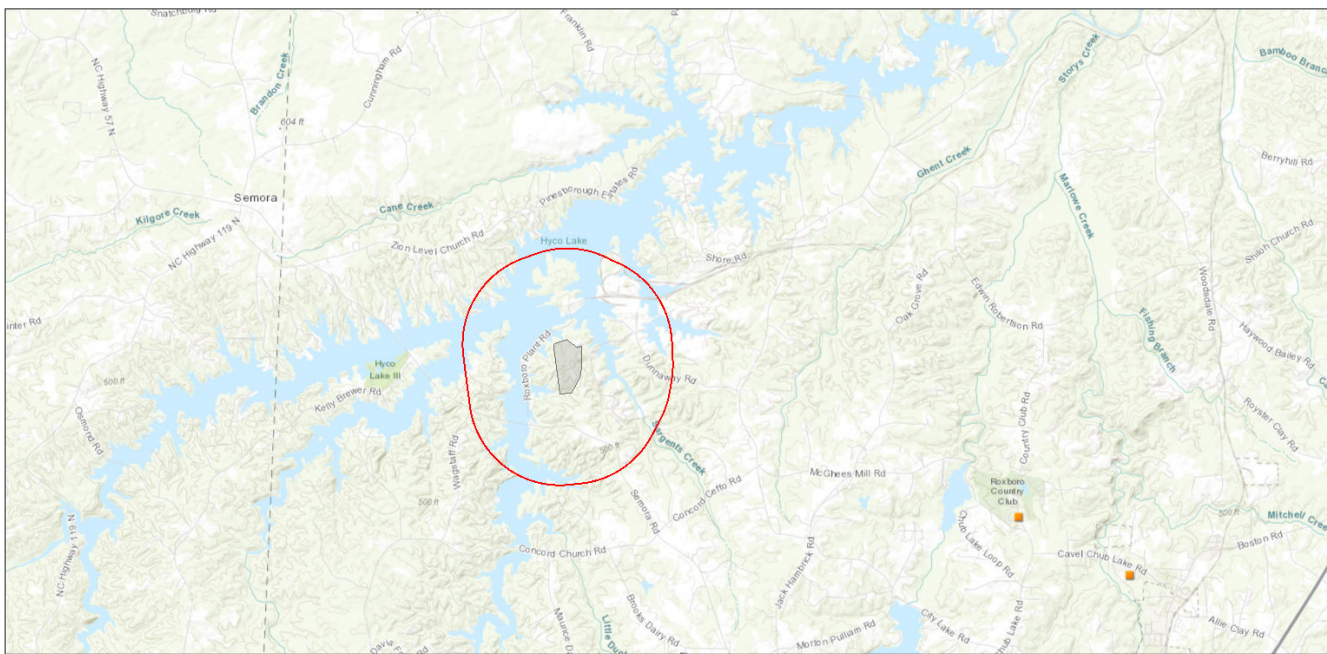
## Area of Interest (AOI) Information

Area : 3,091.8 acres

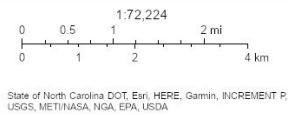
Apr 22 2024 15:47:44 Eastern Daylight Time

Person County

SEPA project 24-0270



■ Inactive Hazardous Sites



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May 23 2024



Superfund and Brownfield Sites  
Person County SEPA project 24-0270

### Summary

Name	Count	Area(acres)	Length(mi)
Certified DSCA Sites	0	N/A	N/A
Federal Remediation Branch Sites	0	N/A	N/A
Inactive Hazardous Sites	0	N/A	N/A
Pre-Regulatory Landfill Sites	0	N/A	N/A
Brownfields Program Sites	0	N/A	N/A

# Department of Environmental Quality Project Review

OFFICIAL COPY

May 23 2024

**Project Number: 24-0270**

**County: Person**

**Date Received: 4-12-2024**

**Due Date: 5-7-2024**

**Project Description:**

*Environmental Review - Joint Application of Duke Energy Progress, LLC and North Carolina Electric Membership Corporation for a Certificate of Public Convenience and Necessity to Construct a 1,360 MW Natural Gas-Fueled Combined Cycle Electric Generating Facility, Docket No. E-2 Sub 1318.  
<https://starw1.ncuc.net/NCUC/page/Dockets/portal.aspx>*

This Project is being reviewed as indicated below:

Regional Office	Regional Office Area	In-House Review	
Asheville	Air	Air Quality	Coastal Management
Fayetteville	DWR	Waste Mgmt	Marine Fisheries
Mooreville	DWR - Public Water	Water Resources Mgmt (Public Water, Planning & Water Quality Program)	CC & PS Div. of Emergency Mgmt
Raleigh	DEMLR (LQ & SW)		DMF-Shellfish Sanitation
Washington	DWM	DWR-Transportation Unit	Wildlife <u>Gabriela</u>
Wilmington			Wildlife/DOT
Winston Salem			

Manager Sign-Off/Region:	Date:	In-House Reviewer/Agency: <b>Gabriela Garrison/NCWRC</b>
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Response (check all applicable)

No objection to project as proposed.
  No Comment

Insufficient information to complete review
  Other (specify or attach comments)

# Department of Environmental Quality Project Review

OFFICIAL COPY

May 23 2024

**Project Number: 24-0270**

**County: Person**

**Date Received: 4-12-2024**

**Due Date: 5-7-2024**

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*Environmental Review - Joint Application of Duke Energy Progress, LLC and North Carolina Electric Membership Corporation for a Certificate of Public Convenience and Necessity to Construct a 1,360 MW Natural Gas-Fueled Combined Cycle Electric Generating Facility, Docket No. E-2 Sub 1318.  
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Fayetteville	DWR	Waste Mgmt	Marine Fisheries
Mooresville	DWR - Public Water	Water Resources Mgmt (Public Water, Planning & Water Quality Program)	CC & PS Div. of Emergency Mgmt
Raleigh	DEMLR (LQ & SW)		DMF-Shellfish Sanitation
Washington	DWM	DWR-Transportation Unit	Wildlife <u>Gabriela</u>
Wilmington			Wildlife/DOT
Winston Salem			

Manager Sign-Off/Region:	Date: 5/6/24	In-House Reviewer/Agency: Melodi Deaver, DWM Hazardous Waste
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Response (check all applicable)

No objection to project as proposed.
  No Comment

Insufficient information to complete review
  Other (specify or attach comments)

# Department of Environmental Quality Project Review

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**Project Number: 24-0270**

**County: Person**

**Date Received: 4-12-2024**

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**Project Description:**

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Mooresville	DWR - Public Water	Water Resources Mgmt (Public Water, Planning & Water Quality Program)	CC & PS Div. of Emergency Mgmt
Raleigh	DEMLR (LQ & SW)		DMF-Shellfish Sanitation
Washington	DWM	DWR-Transportation Unit	Wildlife <u>Gabriela</u>
Wilmington			Wildlife/DOT
Winston Salem			

Manager Sign-Off/Region:	Date: 4/18/2024	In-House Reviewer/Agency: DWR/WRM David Wainwright
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Response (check all applicable)

No objection to project as proposed.
  No Comment

Insufficient information to complete review
  Other (specify or attach comments)

Control No.: 24-E-4600-0270

Date Received: 4/12/2024

County.: PERSON

Agency Response: 5/13/2024

Review Closed: 5/13/2024

JINTAO WEN  
CLEARINGHOUSE COORDINATOR  
DPS - DIV OF EMERGENCY MANAGEMENT

Project Information

Type: State Environmental Policy Act Environmental Review

Applicant: North Carolina Department of Commerce

Project Desc.: Joint Application of Duke Energy Progress, LLC and North Carolina Electric Membership Corporation for a Certificate of Public Convenience and Necessity to Construct a 1,360 MW Natural Gas-Fueled Combined Cycle Electric Generating Facility in Person County, NC. (NCUC Docket No. E-2 Sub 1318).

The link to this docket on our website is:  
<https://starw1.ncuc.net/NCUC/page/Dockets/portal.aspx>; type in "E-2 Sub 1318" to see all filings in this docket

As a result of this review the following is submitted:

No Comment

Comments Below

Documents Attached

The proposed project site is in close vicinity of Special Flood Hazard Area (SFHA). If there is any encroachment, grading, fill or placement of equipment or materials in the SFHA, a floodplain development permit issued by Person County will be required. Please coordinate with the County's Floodplain Administrator for permitting if needed.

Reviewed By: JINTAO WEN

Date: 5/13/2024

Control No.: 24-E-4600-0270

Date Received: 4/12/2024

County.: PERSON

Agency Response: 5/13/2024

Review Closed: 5/13/2024

JESSICA MOSLEY  
CLEARINGHOUSE COORDINATOR  
DEPT OF TRANSPORTATION

Project Information

Type: State Environmental Policy Act ironmental Review

Applicant: North Carolina Department of Commerce

Project Desc.: Joint Application of Duke Energy Progress, LLC and North Carolina Electric Membership Corporation for a Certificate of Public Convenience and Necessity to Construct a 1,360 MW Natural Gas-Fueled Combined Cycle Electric Generating Facility in Person County, NC. (NCUC Docket No. E-2 Sub 1318).

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As a result of this review the following is submitted:

No Comment

Comments Below

Documents Attached

Reviewed By: JESSICA MOSLEY

Date: 4/25/2024



Control No.: 24-E-4600-0270

Date Received: 4/12/2024

County.: PERSON

Agency Response: 5/13/2024

Review Closed: 5/13/2024

DIANNE FARRER  
CLEARINGHOUSE COORDINATOR  
DEPT OF AGRICULTURE

Project Information

Type: State Environmental Policy Act Environmental Review

Applicant: North Carolina Department of Commerce

Project Desc.: Joint Application of Duke Energy Progress, LLC and North Carolina Electric Membership Corporation for a Certificate of Public Convenience and Necessity to Construct a 1,360 MW Natural Gas-Fueled Combined Cycle Electric Generating Facility in Person County, NC. (NCUC Docket No. E-2 Sub 1318).

The link to this docket on our website is:  
<https://starw1.ncuc.net/NCUC/page/Dockets/portal.aspx>; type in "E-2 Sub 1318" to see all filings in this docket

As a result of this review the following is submitted:

No Comment

Comments Below

Documents Attached

Reviewed By: DIANNE FARRER

Date: 5/13/2024