

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:15-CR-62-1
5:15-CR-62-2

FILED
FEB 20 2015
JULIE RICHARDS JOHNSTON, CLERK
US DISTRICT COURT, EDNC
BY [Signature] DEP CLK

UNITED STATES OF AMERICA)
)
v.) CRIMINAL INFORMATION
) Fed. R. Crim. P. 7
DUKE ENERGY BUSINESS SERVICES LLC)
DUKE ENERGY PROGRESS, INC.)

THE UNITED STATES ATTORNEY CHARGES:

COUNT ONE

(negligent discharge of pollutants from a point source, and aiding and abetting, in violation of the Clean Water Act, 33 U.S.C. §§ 1311, 1319(c)(1)(A), and 1342, and 18 U.S.C. § 2)

Beginning no later than October 1, 2010, the exact date being unknown, and continuing up to and including December 30, 2014, in the Eastern District of North Carolina, DUKE ENERGY BUSINESS SERVICES LLC, and DUKE ENERGY PROGRESS, INC., defendants herein, by and through their employees acting within the scope of their employment and agency and with the intent to benefit the defendants, did negligently discharge pollutants from a point source into a water of the United States in violation of a permit issued pursuant to Title 33, United States Code, Section 1342; that is, DUKE ENERGY BUSINESS SERVICES LLC, and DUKE ENERGY PROGRESS, INC., by and through their employees, did fail to exercise the degree of care that someone of ordinary prudence would have exercised in the same circumstance with respect to the

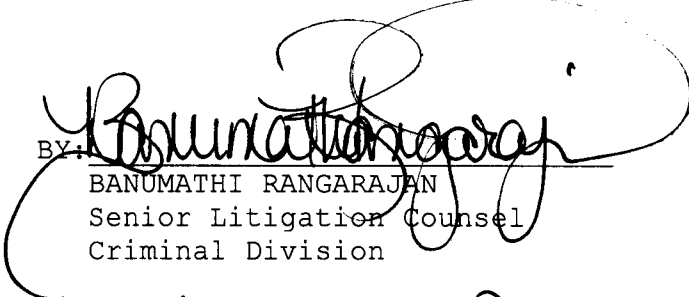
discharge^{of} coal ash and coal ash wastewater from an unpermitted drainage ditch at the H.F. Lee Steam Electric Plant in Goldsboro, North Carolina, into the Neuse River, in violation of the facility's National Pollutant Discharge Elimination Systems Permit No. NC0003417, and did aid and abet each other in so doing,

All in violation of Title 33, United States Code, Sections 1311, 1319(c)(1)(A) and 1342; and Title 18, United States Code, Section 2.

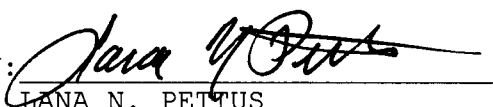
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Environment and
Natural Resources Division

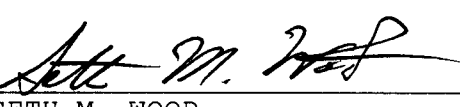
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BANUMATHI RANGARAJAN
Senior Litigation Counsel
Criminal Division

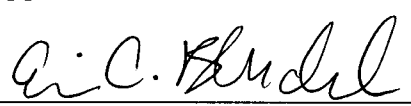
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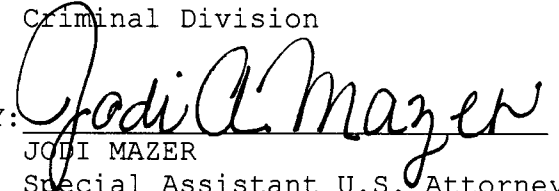
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