



CHAPTER 143
ARTICLE 21A - OIL POLLUTION AND HAZARDOUS SUBSTANCES CONTROL

N.C.G.S. § 143-215.83.

Discharges.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT c. 827, ss. 154, 192 — fourth act in the lineage	RETRIEVED 21 September 2026, 05:53 UTC	SOURCE FINGERPRINT 903de775ddd7f911cb13c3ed - 27333d85ddaa940f1039d5ef - 0d1dc36a5c5f722f
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§ 143-215.83(a) Unlawful Discharges. - It shall be unlawful, except as otherwise provided in this Part, for any person to discharge, or cause to be discharged, oil or other hazardous substances into or upon any waters, tidal flats, beaches, or lands within this State, or into any sewer, surface water drain or other waters that drain into the waters of this State, regardless of the fault of the person having control over the oil or other hazardous substances, or regardless of whether the discharge was the result of intentional or negligent conduct, accident or other cause.

§ 143-215.83(b) Excepted Discharges. - This section shall not apply to discharges of oil or other hazardous substances in the following circumstances:

- (1) When the discharge was authorized by an existing rule of the Commission.
- (2) When any person subject to liability under this Article proves that a discharge was caused by any of the following:

a.An act of God.

b.An act of war or sabotage.

c.Negligence on the part of the United States government or the State of North Carolina or its political subdivisions.

d.An act or omission of a third party, whether any such act or omission was or was not negligent.

e.Any act or omission by or at the direction of a law-enforcement officer or fireman.

§ 143-215.83(c) Permits. - Any person who desires or proposes to discharge oil or other hazardous substances onto the land or into the waters of this State shall first make application for and secure the permit required by G.S. 143-215.1. Application shall be made pursuant to the rules adopted by the Commission. Any permit granted pursuant to this subsection may contain such terms and conditions as the Commission shall deem necessary and appropriate to conserve and protect the land or waters of this State and the public interest therein.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
4 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

197319801987			
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT			
Nº	YEAR	ACT	CHARACTER
01	1973	c. 534, s. 1	ENACTED
02	1973	c. 1262, s. 23	AMENDED
03	1979	c. 535, s. 14	AMENDED
04	1987	c. 827, ss. 154, 192	AMENDED

APPARATUS II
1 AUTHORITY

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 143-215.1	(c)	"and secure the permit required by"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 143-215.83 (1987).

PINPOINT

N.C. Gen. Stat. § 143-215.83(a) (1987).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1973, c. 534, s. 1; c. 1262, s. 23; 1979, c. 535, s. 14; 1987, c. 827, ss. 154, 192.)

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