



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

N.C.G.S. § 143-215.94EE.

Removal of prohibited discharges.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	c. 342, s. 13 — second act in the lineage	21 September 2026, 04:26 UTC	cca710efc5b848cda99cc3f7 - 962d16daf52d959bee51b56e - 4801eff6157e9cb6

§ 143-215.94EE(-a) The Department shall be authorized and empowered to proceed with the cleanup of discharges covered under this Part pursuant to the authority granted to the Department in G.S. 143-215.84(b) and G.S. 143-215.94HH(b)(2).

§ 143-215.94EE(-b) Any unexplained discharge of oil, natural gas or drilling wastes occurring in waters beyond the jurisdiction of the State that for any reason penetrates within State jurisdiction shall be removed by or under the direction of the Department. Except for any expenses incurred by the responsible person, should such person become known, all expenses incurred in the removal of such discharges shall be paid promptly by the State from the Oil or Other Hazardous Substances Pollution Protection Fund established pursuant to G.S. 143-215.87 or from any other available sources. In the case of unexplained discharges, the matter shall be referred by the Secretary to the North Carolina Attorney General for collection of damages pursuant to G.S. 143-215.94FF of this Part. At his discretion, the Attorney General may refer the matter to the State Bureau of Investigation or other appropriate State or federal authority to determine the identity of the responsible person.

§ 143-215.94EE(-c) Nothing in this section is intended to preclude cleanup and removal by any person threatened by such discharges, who, as soon as is reasonably possible, coordinates and obtains approval for such actions with ongoing State or federal operations and appropriate State and federal authorities.

§ 143-215.94EE(-d) No action taken by any person to contain or remove an unlawful discharge shall be construed as an admission of liability for said discharge.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
2 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.

1989		1990		1991
TICK HEIGHT = ACTS IN THAT YEAR		DASHED = RECODIFICATION, NOT AMENDMENT		
Nº	YEAR	ACT		CHARACTER
01	1989	c. 656, s. 5, c. 770, s. 75.5		ENACTED
02	1991	c. 342, s. 13		AMENDED

APPARATUS II
4 AUTHORITIES

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. 143-215.84(b)	(a)	"authority granted to the Department in"
G.S. 143-215.94HH(b)(2)	(a)	"the Department in G.S. 143-215.84(b) and"
G.S. 143-215.87	(b)	"Pollution Protection Fund established pursuant to"
G.S. 143-215.94FF	(b)	"for collection of damages pursuant to"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 143-215.94EE (1991).

PINPOINT

N.C. Gen. Stat. § 143-215.94EE(a) (1991).

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
(1989, c. 656, s. 5, c. 770, s. 75.5; 1991, c. 342, s. 13.)

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NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

