



CHAPTER 8

ARTICLE 7D - ENVIRONMENTAL AUDIT PRIVILEGE AND LIMITED IMMUNITY

N.C.G.S. § 8-58.54.

(Article has a contingent effective date – see note) Waiver of privilege.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	No amendment history on record	21 September 2026, 02:07 UTC	9762b1087efb75f7cc500c7d - 20940e5efd972cca17e0660e - 59041a5d556a73ab

- § 8-58.54(a)** The privilege established under G.S. 8-58.53 does not apply to the extent that it is expressly waived in writing by the owner or operator of a facility at which an environmental audit was conducted and who prepared or caused to be prepared the audit report as a result of the audit.
- § 8-58.54(b)** The audit report and information generated by the audit may be disclosed without waiving the privilege established under G.S. 8-58.53 to all of the following persons:
- (1) A person employed by the owner or operator or the parent corporation of the audited facility.
 - (2) A legal representative of the owner or operator or parent corporation.
 - (3) An independent contractor retained by the owner or operator or parent corporation to conduct an audit on or to address an issue or issues raised by the audit.
- § 8-58.54(c)** Disclosure of an audit report or information generated by the audit under all of the following circumstances shall not constitute a waiver of the privilege established under G.S. 8-58.53:
- (1) Disclosure made under the terms of a confidentiality agreement between the owner or operator of the facility audited and a potential purchaser of the business or facility audited.

- (2) Disclosure made under the terms of a confidentiality agreement between governmental officials and the owner or operator of the facility audited.
- (3) Disclosure made under the terms of a confidentiality agreement between a customer, lending institution, or insurance company with an existing or proposed relationship with the facility. (2015-286, s. 4.1(a).)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

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. 8-58.53	(a)	"The privilege established under"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 8-58.54 (2026).

PINPOINT

N.C. Gen. Stat. § 8-58.54(a) (2026).

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

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