

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 1184

Short Title: Clarify Underground Injection Ban. (Public)

Sponsors: Representative Faison (Primary Sponsor).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Environment, if favorable, Judiciary Subcommittee C, if favorable, Commerce and Job Development.

May 30, 2012

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THAT THE BAN ON DISCHARGE OF WASTES TO THE
SUBSURFACE OR GROUNDWATERS OF THE STATE BY MEANS OF WELLS
APPLIES TO THE INJECTION OF FLUIDS USING A WELL FOR THE PURPOSE OF
OIL AND GAS EXPLORATION OR PRODUCTION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-214.2 reads as rewritten:

"§ 143-214.2. **Prohibited discharges.**

(a) The discharge of any radiological, chemical or biological warfare agent or high-level radioactive waste to the waters of the State is prohibited.

(b) The discharge of any wastes to the subsurface or groundwaters of the State by means of wells is prohibited. This section shall not be construed to prohibit the operation of closed-loop groundwater remediation systems in accordance with G.S. 143-215.1A. For purposes of this subsection, the injection of fluids to the subsurface of the State for a purpose regulated under Article 27 of Chapter 113 of the General Statutes shall be considered the discharge of a waste to the subsurface or groundwaters of the State.

(c) Unless permitted by a rule of the Commission, the discharge of wastes, including thermal discharges, to the open waters of the Atlantic Ocean over which the State has jurisdiction are prohibited."

SECTION 2. There is appropriated to the Department of Environment and Natural Resources the sum of fifty thousand dollars (\$50,000) to implement the statutory changes made by this act.

SECTION 3. This act is effective when it becomes law.



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