

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

H.B. 1184
May 29, 2012
HOUSE PRINCIPAL CLERK

H

D

HOUSE DRH60182-MH-111 (05/25)

Short Title: Clarify Underground Injection Ban.

(Public)

Sponsors: Representative Faison.

Referred to:

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

6 The General Assembly of North Carolina enacts:

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

8 "**§ 143-214.2. Prohibited discharges.**

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

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

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

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

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

