

1975 WL 29509 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 18, 1975

\*1 The Honorable Ernest F. Hollings  
United States Senator  
Senate Office Building  
Washington, D. C. 20517

Dear Senator:

Thank you for your letter of January 16, 1975, requesting a synopsis of any judicial decisions or pending legislation in this State which would relate to compensation and liability for oil damage inflicted by the discharge of oil in the territorial waters of this State.

There are no such decisions in this State nor is any legislation pending relating to this particular problem.

Insofar as oil pollution liability and compensation is concerned, it would appear to me that this is a matter dependent upon international agreement. My only acquaintance with this problem consists of a minor incursion into the Warsaw Convention application as modified by the recent Guatemala Convention. Such an approach may be a feasible resolution of the matter.

Undoubtedly, however, regulatory measures are as badly needed as means of establishing and securing liability and compensation for damages. Among these should be: traffic regulations, such as those existing in the English Channel, fitness of masters, as well as vessels, capacity of vessels, and other similar areas which are of special maritime cognizance.

I am forwarding a copy of your letter of January 16 to Don Welch of the State Ports Authority, who is in a much better position to make an informed response thereto.

With best wishes,  
Cordially,

Daniel R. McLeod  
Attorney General

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