S T A T E O F N E W Y O R K

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I N A S S E M B L Y

March 3, 2010

Introduced by M. of A. SWEENEY, JAFFEE, ZEBROWSKI, MAGNARELLI, KAVANAGH, ESPAILLAT, TITONE, COLTON, CYMBROWITZ, REILLY, SPANO, PAULIN, CASTRO, P. RIVERA, ROSENTHAL, HYER-SPENCER, MAISEL, PERRY, ORTIZ, BRENNAN, COOK, WEISENBERG, SCHIMEL, FIELDS -- Multi-Sponsored by -- M. of A. DESTITO, GOTTFRIED, LENTOL, MAGEE, MARKEY, McENENY, THIELE -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to requiring an environmental impact statement for any natural gas or oil drilling involving the use of hydraulic fracturing fluid

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 9 of section 8-0109 of the environmental conservation law, as added by chapter 219 of the laws of 1990, is amended to read as follows:

9. An environmental impact statement shall be prepared for any action found to have a significant impact on the special groundwater protection area, as defined in section 55-0107 of this chapter *OR FOR ANY NATURAL GAS OR OIL DRILLING INVOLVING THE USE OF HYDRAULIC FRACTURING FLUID*. Such statement shall meet the requirements of the most detailed environmental impact statement required by this section or by any such rule or regulation promulgated pursuant to this section.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

EXPLANATION--Matter in *ITALICS (underscored)* is new; matter in brackets [ ] is old law to be omitted.

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