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

10210

I N A S S E M B L Y

May 11, 2012

Introduced by M. of A. SWEENEY -- read once and referred to the Committee on Environmental Conservation

AN ACT relating to wastewater treatment; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. Notwithstanding any contrary provision of law, no publicly owned treatment works shall accept wastewater associated with the exploration, delineation, development, or production of natural gas where high-volume hydraulic fracturing is utilized.

S 2. A publicly owned treatment works may appeal to the department of environmental conservation division of water for an exemption from section one of this act if it can meet a standard of performance that shall permit no discharge of pollutants, or if not feasible, shall reflect the greatest degree of effluent reduction achievable through application of the best available demonstrated control technology, processes, operating methods, or other alternatives.

S 3. For purposes of this act, "High-volume hydraulic fracturing" or "(HVHF)" means hydraulic fracturing for natural gas extraction using greater than 300,000 gallons of water regardless of whether the well is vertical, directional or horizontal.

S 4. This act shall take effect immediately and shall expire and be deemed repealed three years after such date.

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

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