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

February 29, 2012

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

AN ACT to amend the environmental conservation law, in relation to requiring the provision of an assessment by a geologist prior to the issuance of a well permit for the production of gas by means of hydraulic fracturing

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

Section 1. Paragraph b of subdivision 1 of section 23-0501 of the environmental conservation law is amended by adding a new subparagraph 4 to read as follows:

(4) "HYDRAULIC FRACTURING" MEANS THE USE OF CHEMICALS, WATER AND OTHER SUBSTANCES INJECTED OR PUMPED INTO A GAS WELL TO STIMULATE THE EXTRACTION OF GAS.

S 2. Section 23-0501 of the environmental conservation law is amended by adding a new subdivision 2-a to read as follows:

2-A. EVERY PERSON WHO APPLIES FOR A PERMIT TO DRILL A GAS WELL FOR THE EXTRACTION OF GAS BY MEANS OF HYDRAULIC FRACTURING SHALL, UPON SUCH APPLICATION, PROVIDE THE DEPARTMENT WITH AN ASSESSMENT AND MAP OF THE WATER TABLES AT THE PROPOSED GAS WELL SITE, INCLUDING AN ANALYSIS OF THE CHEMISTRY OF THE SUBTERRANEAN WATER. SUCH ASSESSMENT AND MAP SHALL BE COMPLETED BY A GEOLOGIST APPROVED AND CERTIFIED BY THE COMMISSIONER.

S 3. This act shall take effect immediately.

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

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