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

2890

2011-2012 Regular Sessions

I N A S S E M B L Y

January 20, 2011

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

AN ACT to amend the environmental conservation law, in relation to the prohibition of the on-site storage of flowback water

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

Section 1. The opening paragraph of subdivision 8 of section 23-0305 of the environmental conservation law, as amended by chapter 846 of the laws of 1981, is amended to read as follows:

With respect to oil pools or fields and natural gas pools or fields, the department shall [have power to]:

S 2. Paragraph k of subdivision 8 of section 23-0305 of the environmental conservation law is relettered paragraph 1 and a new paragraph k is added to read as follows:

K. PROHIBIT THE USE OF ON-SITE RESERVE PITS FOR FLOWBACK WATER AND REQUIRE THAT SUCH WATER BE CONTAINED WITHIN STEEL TANKS WITH SUCH FLUIDS REMOVED WITHIN SEVEN DAYS IF THERE WILL BE A HIATUS IN SITE ACTIVITY AND FOLLOWING COMPLETION OF DRILLING AND STIMULATION OPERATIONS; PROVIDED, HOWEVER, IF OPERATIONS ARE SUSPENDED OR THE SITE IS LEFT UNATTENDED AT ANY TIME, FLUIDS MUST BE REMOVED IMMEDIATELY.

S 3. 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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