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

3125

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I N A S S E M B L Y

January 24, 2011

Introduced by M. of A. LIFTON, CAHILL, JAFFEE, O'DONNELL, NOLAN, TITONE, MILLMAN, P. RIVERA, MAISEL, SCHIMEL, GLICK, GOTTFRIED, PHEFFER, WEISENBERG -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to the powers and duties of the commissioner and the department of environmental conservation relating to the pollution of fresh water supplies

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

Section 1. Paragraph d of subdivision 8 and paragraph b of subdivision 9 of section 23-0305 of the environmental conservation law, as amended by chapter 846 of the laws of 1981, are amended to read as follows:

d. Require the drilling, casing, operation, plugging and replugging of wells and reclamation of surrounding land in accordance with rules and regulations of the department in such manner as to prevent or remedy the following, including but not limited to: the escape of oil, gas, brine or water out of one stratum into another; the intrusion of water into oil or gas strata other than during enhanced recovery operations; the pollution of fresh water supplies by oil, gas, salt water or other contaminants; and blowouts, cavings, seepages and fires. THE RULES AND REGULATIONS PROMULGATED BY THE DEPARTMENT TO PREVENT OR REMEDY THE POLLUTION OF FRESH WATER SUPPLIES BY OIL, GAS, SALT WATER OR OTHER CONTAMINANTS SHALL APPLY EQUALLY TO ALL WELLS IN THE STATE.

b. Require the drilling, casing, operation and plugging of wells in accordance with rules and regulations of the department in such a manner as to prevent the loss or escape of oil or gas reserves to the surface or to other strata; the intrusion of brine or water into commercial oil or gas reserves; the pollution of fresh water supplies by oil, gas or salt water, and to facilitate the efficient use of ground and surface waters in solution mining. THE RULES AND REGULATIONS PROMULGATED BY THE DEPARTMENT TO PREVENT OR REMEDY THE POLLUTION OF FRESH WATER SUPPLIES BY OIL, GAS, SALT WATER OR OTHER CONTAMINANTS SHALL APPLY EQUALLY TO ALL WELLS IN THE STATE.

S 2. 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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