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I N   A S S E M B L Y

February 29, 2012

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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 ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Paragraph b of subdivision 1 of section 23-0501 of the  
2 environmental conservation law is amended by adding a new subparagraph 4  
3 to read as follows:  
4     (4) "HYDRAULIC FRACTURING" MEANS THE USE OF CHEMICALS, WATER AND OTHER  
5 SUBSTANCES INJECTED OR PUMPED INTO A GAS WELL TO STIMULATE THE  
6 EXTRACTION OF GAS.  
7     S 2. Section 23-0501 of the environmental conservation law is amended  
8 by adding a new subdivision 2-a to read as follows:  
9     2-A. EVERY PERSON WHO APPLIES FOR A PERMIT TO DRILL A GAS WELL FOR THE  
10 EXTRACTION OF GAS BY MEANS OF HYDRAULIC FRACTURING SHALL, UPON SUCH  
11 APPLICATION, PROVIDE THE DEPARTMENT WITH AN ASSESSMENT AND MAP OF THE  
12 WATER TABLES AT THE PROPOSED GAS WELL SITE, INCLUDING AN ANALYSIS OF THE  
13 CHEMISTRY OF THE SUBTERRANEAN WATER. SUCH ASSESSMENT AND MAP SHALL BE  
14 COMPLETED BY A GEOLOGIST APPROVED AND CERTIFIED BY THE COMMISSIONER.  
15     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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