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2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. LIFTON, CAHILL, JAFFEE, O'DONNELL, TITONE, MILLMAN, MAISEL, SCHIMEL, GLICK, GOTTFRIED, 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:

1 Section 1. Paragraph d of subdivision 8 and paragraph b of subdivision
2 9 of section 23-0305 of the environmental conservation law, as amended
3 by chapter 846 of the laws of 1981, are amended to read as follows:
4 d. Require the drilling, casing, operation, plugging and replugging of
5 wells and reclamation of surrounding land in accordance with rules and
6 regulations of the department in such manner as to prevent or remedy the
7 following, including but not limited to: the escape of oil, gas, brine
8 or water out of one stratum into another; the intrusion of water into
9 oil or gas strata other than during enhanced recovery operations; the
10 pollution of fresh water supplies by oil, gas, salt water or other
11 contaminants; and blowouts, cavings, seepages and fires. THE RULES AND
12 REGULATIONS PROMULGATED BY THE DEPARTMENT TO PREVENT OR REMEDY THE
13 POLLUTION OF FRESH WATER SUPPLIES BY OIL, GAS, SALT WATER OR OTHER
14 CONTAMINANTS SHALL APPLY EQUALLY TO ALL WELLS IN THE STATE.
15 b. Require the drilling, casing, operation and plugging of wells in
16 accordance with rules and regulations of the department in such a manner
17 as to prevent the loss or escape of oil or gas reserves to the surface
18 or to other strata; the intrusion of brine or water into commercial oil
19 or gas reserves; the pollution of fresh water supplies by oil, gas or
20 salt water, and to facilitate the efficient use of ground and surface
21 waters in solution mining. THE RULES AND REGULATIONS PROMULGATED BY THE
22 DEPARTMENT TO PREVENT OR REMEDY THE POLLUTION OF FRESH WATER SUPPLIES BY
23 OIL, GAS, SALT WATER OR OTHER CONTAMINANTS SHALL APPLY EQUALLY TO ALL
24 WELLS IN THE STATE.
25 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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