

45--A

2015-2016 Regular Sessions

I N   S E N A T E

(PREFILED)

January 7, 2015

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Introduced by Sens. HOYLMAN, DILAN, KRUEGER, PERKINS -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation -- recommitted to the Committee on Environmental Conservation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the environmental conservation law, in relation to wastewater treatment facilities

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

1     Section 1. The environmental conservation law is amended by adding a  
2     new section 17-0513 to read as follows:  
3     S 17-0513. STANDARDS OF PERFORMANCE FOR WASTEWATER FACILITIES.  
4     NO WASTEWATER TREATMENT FACILITY IN THE STATE SHALL ACCEPT ANY WASTE-  
5     WATER FROM HYDRAULIC FRACTURING OPERATIONS UNLESS SUCH FACILITY MEETS  
6     THE REQUIREMENTS ESTABLISHED IN SECTION 17-0709 OF THIS ARTICLE.  
7     S 2. The environmental conservation law is amended by adding a new  
8     section 17-0709 to read as follows:  
9     S 17-0709. WASTEWATER TREATMENT FACILITIES.  
10    NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED IN SUBDIVISION  
11    TWENTY-ONE OF SECTION 17-0105 OF THIS ARTICLE, THE COMMISSIONER SHALL  
12    PROMULGATE REGULATIONS ESTABLISHING A STANDARD OF PERFORMANCE FOR THE  
13    CONTROL OF THE DISCHARGE OF POLLUTANTS FROM FACILITIES WHICH TREAT  
14    WASTEWATER FROM HYDRAULIC FRACTURING OPERATIONS. THIS STANDARD OF  
15    PERFORMANCE SHALL PERMIT NO DISCHARGE OF POLLUTANTS, OR IF NOT FEASIBLE,  
16    SHALL REFLECT THE GREATEST DEGREE OF EFFLUENT REDUCTION ACHIEVABLE  
17    THROUGH APPLICATION OF THE BEST AVAILABLE DEMONSTRATED CONTROL TECHNOLO-  
18    GY, PROCESSES, OPERATING METHODS, OR OTHER ALTERNATIVES. THIS STANDARD  
19    OF PERFORMANCE SHALL REMAIN IN EFFECT UNTIL SUCH TIME THAT THE FEDERAL  
20    GOVERNMENT DETERMINES THAT A GREATER DEGREE OF EFFLUENT LIMITATION IS

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

LBD01400-02-6

1 ACHIEVABLE BY THIS CATEGORY OF FACILITIES, AT WHICH TIME THIS STANDARD  
2 OF PERFORMANCE SHALL BE SUPERSEDED BY SUCH FEDERAL STANDARD.  
3 S 3. This act shall take effect immediately; provided, however, that  
4 section two of this act shall take effect January 1, 2021.