# STATE OF NEW YORK

3908

2017-2018 Regular Sessions

# IN SENATE

January 30, 2017

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT relating to wastewater treatment

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

Section 1. Notwithstanding any contrary provision of law, no publicly owned treatment works shall accept wastewater associated with the exploration, delineation, development, or production of natural gas where high-volume hydraulic fracturing is utilized.

§ 2. A publicly owned treatment works may appeal to the department of environmental conservation division of water for an exemption from section one of this act if it can meet a standard of performance that shall permit no discharge of pollutants, or if not feasible, shall reflect the greatest degree of effluent reduction achievable through application of the best available demonstrated control technology, processes, operating methods, or other alternatives.

§ 3. For purposes of this act, "High-volume hydraulic fracturing" or "(HVHF)" means hydraulic fracturing for natural gas extraction using greater than 300,000 gallons of water regardless of whether the well is vertical, directional or horizontal.

§ 4. 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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