

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 Telecommu-
nications

AN ACT relating to wastewater treatment

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

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

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

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

16 § 4. This act shall take effect immediately.

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

LBD04367-01-7