STATE OF NEW YORK

9678

IN ASSEMBLY

February 4, 2020

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 prohibiting horizontal drilling and high-volume hydraulic fracturing

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

Section 1. Article 23 of the environmental conservation law is amended by adding new title 29 to read as follows:

TITLE 29

HORIZONTAL DRILLING AND HIGH-VOLUME HYDRAULIC FRACTURING

Section 23-2901. Prohibition on horizontal drilling and high-volume hydraulic fracturing.

§ 23-2901. Prohibition on horizontal drilling and high-volume hydraulic fracturing.

1. For the purposes of this section, the following terms shall have the following meanings:

(a) "High-volume hydraulic fracturing" means the stimulation of a well using three hundred thousand or more gallons of water as the base fluid for hydraulic fracturing for all stages in a well completion, regardless of whether the well is vertical or directional, including horizontal. The three hundred thousand-gallon threshold is the sum of all water, fresh and recycled, used for all stages in a well completion.

(b) "Gelled propane hydraulic fracturing" means a process that uses gelled propane or liquified petroleum gas to fracture geologic formations.

2. Notwithstanding any other provision of law, high-volume hydraulic fracturing and gelled propane hydraulic fracturing shall be deemed prohibited in the state.

§ 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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