

# 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 Assem-  
bly, do enact as follows:

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

### TITLE 29

#### HORIZONTAL DRILLING AND HIGH-VOLUME HYDRAULIC FRACTURING

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

7 § 23-2901. Prohibition on horizontal drilling and high-volume hydraulic  
8 fracturing.

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

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

17 (b) "Gelled propane hydraulic fracturing" means a process that uses  
18 gelled propane or liquified petroleum gas to fracture geologic forma-  
19 tions.

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

23 § 2. This act shall take effect immediately.

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

LBD14480-01-9