

# STATE OF NEW YORK

4099

2021-2022 Regular Sessions

## IN SENATE

February 2, 2021

Introduced by Sens. PARKER, ADDABBO, BIAGGI, BROOKS, KRUEGER -- read twice and ordered printed, and when printed to be committed 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:

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

3 TITLE 29

4 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.

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