

# STATE OF NEW YORK

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1404

2021-2022 Regular Sessions

## IN ASSEMBLY

January 11, 2021

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Introduced by M. of A. L. ROSENTHAL -- read once and referred to the  
Committee on Environmental Conservation

AN ACT relating to wastewater treatment

The People of the State of New York, represented in Senate and Assembly, 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.

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