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:

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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