STATE OF NEW YORK

7105

2023-2024 Regular Sessions

IN ASSEMBLY

May 10, 2023

Introduced by M. of A. O'DONNELL -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to prohibiting the use of drilling fluids and flowback water from wells, pools or fields on any highway

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

Section 1. Section 23-0305 of the environmental conservation law is amended by adding a new subdivision 15 to read as follows:

15. The department shall prohibit the use of drilling fluids and flowback water from wells, pools or fields on any highway, as defined in subdivision fourteen of section two of the transportation law, for any purpose, including but not limited to use for de-icing, dust suppression or any other use. Provided, however, that this prohibition shall not apply to the use of brine produced from solution mining wells, naturally-occurring brine extracted from wells drilled for that purpose, or brine associated with production or storage wells that is not contaminated by production or storage, as determined by the department.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

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