

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE
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(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

TOWN OF NEW PALTZ

LOCAL LAW NO. 3 OF 2012

A LOCAL LAW TO PROHIBIT THE DISPOSAL OF NATURAL GAS AND/OR OIL PRODUCTION WASTES INTO THE MUNICIPAL SEWER SYSTEM

BE IT ENACTED by the Town Council of the Town of New Paltz as follows:

Section 1: Legislative intent.

This local law prohibits the disposal of natural gas and/or oil production wastes into the municipal sewer system.

§ 2. Section 113-2 of the Town Code, definitions, is hereby amended by the addition of the following new definitions:

NATURAL GAS AND OIL EXPLORATION – The use of land for geological or geophysical activities related to the search for natural gas, oil or other subsurface hydrocarbons including prospecting, geophysical and geologic seismic surveying and sampling techniques, which include but are not limited to core or rotary drilling or making an excavation in the search and evaluation of natural gas, oil or other subsurface hydrocarbon deposits.

NATURAL GAS AND OIL EXTRACTION – The use of land for the purpose of extracting, developing and producing natural gas, oil or other subsurface hydrocarbons from subsurface deposits. Natural gas and oil extraction includes storage or construction staging yards associated with an oil or gas extraction operation, and gas pipelines, water lines and other gathering systems and components including but not limited to drip stations, vent stations, injection stations and valve boxes associated with an a natural gas or oil extraction operation.

NATURAL GAS AND OIL PRODUCTION BYPRODUCTS – Any refuse, sludge or other waste materials, whether or not recycled or reused or intended to be recycled or reused, including solid, liquid, semi-solid, or contained gaseous material that results from, is associated with or produced as a byproduct of natural gas and oil

exploration or extraction, including, without limitation, production brine, produced waters, flowback, flowback fluids and hydraulic fracturing fluids.

§ 3. Section 113-2 of the Town Code, definitions, is hereby amended by deleting the definition of Industrial Wastes and replacing it with the following definition:

INDUSTRIAL WASTES – Any discarded matter, including any liquid, gaseous or solid substance, or combination thereof, resulting from any industrial user, excluding natural gas and oil production byproducts.

§ 4. Section 113-3 of the Town Code, prohibited acts, is hereby amended by inserting the following new subsection:

D. It shall be unlawful to discharge into any outlet within the district which is serviced by public sewers under the jurisdiction of the district any natural gas and oil production byproducts.

§ 5. Section 114-24 of the Town Code, prohibited discharges, is hereby amended by inserting the following new subsection:

N. Any natural gas and oil production byproducts.

§ 6. Severability

The invalidity of any word, section, clause, paragraph, sentence, part of provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such part or parts.

§ 7. Effective Date.

This local law shall take effect immediately upon filing in the office of the Secretary of State of New York as provided by law.