The Expo returns to the cavernous International Exhibition Center (IX Center) in Cleveland, Ohio. As experienced last year, this facility is uniquely suited for an oilfield show. The space boasts over one million square feet under roof and 280,000 square feet of column free exhibition space with 55 to 77 foot high ceilings.

The stated goal of our Expo is to bring together the broad spectrum of industries and companies who facilitate the production of oil and natural gas resources in Ohio. We achieved that goal last year, and our intent is in to further improve the show and experience.

Some highlights are:

1. The floor has been expanded and shifted out into the center (not using the 2 row setback area).
2. Large equipment exhibitors are integrated/interspersed with the show.
3. The Welcome Reception will be at the Rock & Roll Hall of Fame, Wednesday night after set-up.
4. A Safety Congress element has been added, grouping safety focused exhibitors into one easy-to-locate row.
5. Frequent shuttle buses will be running from area hotels to and from the IX Center, throughout the event.
6. An “all-convention” Exhibit Hall Reception (with a fantastic 80’s tribute band to entertain) has been added at the end of the first show day.
7. A variety of training and short talks will be presented again in classrooms on the Expo floor, including environmental, safety, etc.
8. Society of Petroleum Engineers - Ohio is again assisting in developing a strong Fall Technical Conference lineup.
9. The Oilfield Symposium

The exhibitor list has already exceeded last year. (You can see the growing list at www.oilfieldexpo.org).

Why?

Legitimacy. The Ohio Oil & Gas Association’s Oilfield Expo is not a commercial venture. This is YOUR Expo, presented and administered by YOUR Association.

Strength. The shale revolution in the eastern United States, starting in Pennsylvania and beginning to blossom in Ohio, is bringing a wide array of new technologies and innovations simply not available in the past. These will eventually open opportunities for enhanced drilling, completion, and production for all operators.

Experience. The collective experience of Ohio operators and service providers is staggering, and not surprising, in a region of continuous oil and gas production dating back 150 years. Numerous multigenerational operators and service companies, assessing and growing with the developments through time.

Success. Bringing together the players in the Ohio oil and gas sector to share new technologies, new applications, and new information as this new chapter in Ohio’s energy story is written.
ENERGY LITIGATION.
CHECK OR CHECKMATE?

You need a litigation team that anticipates all the right moves in the local courts of the Marcellus and Utica shale plays. Our energy attorneys have focused practices in shale gas lease, land use, toxic tort, environmental and construction litigation.

Knowledgeable, industry-savvy, strategic counsel can be the difference between a check and checkmate.

Babst Calland
Attorneys at Law

Ohio | Pennsylvania | West Virginia | New Jersey
I am writing this column with my iPad in hand and the Indians Wild Card game about to start. Can you believe it—the Indians closed out the regular season with 10 straight wins and are playing baseball again in October! Will the Indians win tonight, move on to the American League playoffs, the World Series, and do I dare dream of becoming World Champs for the first time in 65 years? The optimist in me says there is a chance. Nagging at the back of my mind is the famous Yogi Berra quote “it’s like déjà vu all over again” and the Indians disappoint. Play ball!

I find Yogi’s quote particularly relevant today as our industry again faces the battle of preemption—in other words, who’s in charge? This matter was settled in 2004 with the passage of HB 278 that placed sole and exclusive regulatory authority of our industry regulation under the jurisdiction of the ODNR. I participated in these deliberations over ten years ago and remember one particularly contentious meeting with the Ohio Municipal League when their representative, sensing defeat, concluded the meeting by stating “we will sue”. It was not long thereafter that a lawsuit was filed in Cuyahoga County challenging the constitutionality of the new law. Several local municipalities joined in the suit, citing home rule authority as the grounds for their participation. Interestingly, many of those same municipal litigants had signed leases and were receiving royalties and well gas as a result of this new law. Judge Gault’s ruling was a clear and incontrovertible win for industry—HB 278 was affirmed as the law of the land.

The authority issue will likely be determined definitively in the coming weeks. The Monroe Falls verses Beck Energy case now before the Ohio Supreme Court will hopefully affirm the Court of Appeals decision that local ordinances are preempted by state law. The outcome of this case will likely affect the ability of Ohio producers to drill wells in populated areas of the state for years to come.

The strategy to defeat you has changed. Rather than be bothered with the legislature or the courts, your detractors are now taking their case directly to the voters by referendum. Misinformation and scare tactics are the tools du jour. We are pushing back by showing up at these public forums and offering science and fact-based rebuttals. We are making a difference by pointing out that so-called Community Bill of Rights that if enacted equals fewer wells, jobs and economic activity. A second strategy that is even more troubling is the reach by Federal agencies like the EPA into Ohio to assert authority over your operations. This game of regulatory fiat has just begun. Your Association continues to fight and inform.

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Contact Your Association:
Oil & Gas Industry Invests Big to Reduce Emissions

By: Anne Carto, Communications Coordinator

A study was recently released touting the incredible investments the U.S. oil and natural gas industry has made to reduce greenhouse gas (GHG) emissions. The study, compiled by T2 and Associates for the American Petroleum Institute (API), showed the oil and natural gas industry has invested more money in emission reductions than the federal government. From 2000 through 2012, the industry invested $81 billion to lower GHG emissions while the federal government invested $79.7 billion. When industry investment towards shale gas technology is included, the amount totals $165.4 billion.

“America’s oil and natural gas companies have invested more to reduce greenhouse gas emissions than the federal government and almost as much as all other industries combined”—API Vice President for Policy and Economic Analysis Kyle Isakower

Investing in shale technologies means investing in a process that has put U.S. carbon emissions at a two-decade low. Hydraulic fracturing and horizontal drilling has given producers the ability to unlock an abundance of natural gas, supplanting higher emitting fuels. Many power plants are switching to natural gas because of its low cost and environmental benefits.

Investments made by the industry stretch far beyond natural gas. During the study period of 2000 to 2012, the oil and natural gas industry was responsible for approximately $11.4 billion, or one of every six dollars, invested in non-hydrocarbon resources such as wind, solar, geothermal and biomass technologies. This reiterates that the oil and natural gas industry supports an “all of the above” energy approach.

The industry has also adopted methods to reuse excess heat from refineries and permanently sequester CO2. From 2011 to 2012, these and other investments allowed the U.S. oil and natural gas industry to directly reduce GHG emissions by the equivalent of 53.6 million metric tons—or taking 10.8 millions cars off the road.

The development of new natural gas technologies and the increased use of the cleaner-burning fuel have not gone unnoticed. EPA Administrator Gina McCarthy heralded natural gas, recently saying:

“Responsible development of natural gas is an important part of our work to curb climate change and support a robust clean energy market at home. It also has huge potential to help power our factories and our vehicles, while at the same time cutting our dependence on foreign oil.”

Continued on page 6
Oil & Gas Industry Invests Big to Reduce Emissions (cont. from page 5)

President Obama has also recognized the importance of natural gas in America’s energy future, saying:

“...While there is more work to do, we are more energy secure than at any time in recent history. In 2012, America’s net oil imports fell to the lowest level in 20 years and we have become the world’s leading producer of natural gas – the cleanest-burning fossil fuel.”

As technology allows companies to continue unlocking the incredible resources below states like Ohio, Americans will continue to enjoy reduced GHG emissions and be able to rely on an industry willing to invest in the future.

2013 Oilfield Expo and Safety Congress Right Around the Corner (cont. from cover)

Participation at the Oilfield Expo will provide exposure to the companies historically and actively involved in the energy quest in Ohio, service and support companies and operators. In 2012, nearly 2,500 people attended the Expo.

There are several ways to participate. Exhibit. Sponsor. Attend.

Exhibiting is strongly encouraged. Of course, vendors should exhibit. An event such as the Expo creates a strong venue for them to present their goods and services to other vendors (who may also be potential clients) and the ultimate client, the producer.

Sponsorship is another option. In addition to our standard unrestricted sponsorship levels, there are two large event sponsorship opportunities for this event – two prime opportunities assure a successful event and the brightest promotional spotlight. Your visible support as a sponsor at any level, is a great help and allows us to securely underwrite and provide amenities that contribute significantly to a successful event.

Simply attending allows awareness of the impressive new technologies, applications and innovations being brought to the Eastern United States as a result of the Marcellus and Utica revolution. The Expo is the prime opportunity to exhibit and see the products and services now available to the entire industry.

The wide array of equipment and services focused on helping you produce, market, and deliver oil and natural gas resources in Ohio in the safest, most efficient, and effective way will be there—you should be there too.

Please consider sponsoring and/or exhibiting, but certainly attending, the 3rd Annual Ohio Oil & Gas Association’s Oilfield Expo at the IX Center in Cleveland, Ohio, December 3-5. If you have any questions, please do not hesitate to contact your Association or visit the meeting site online, www.oilfieldexpo.com, for sponsorship and exhibit registration information.

President’s Paper (cont. from page 3)

The definition of insanity is to do the same thing over and over again and expect a different result. It is now close to midnight and the Indians game and season are over. I have decided to root for our lawyers in the Beck case and for the Indians in the spring. I must be insane.

Regards,

Joel Rudicil
OOGA President
3 Simple Ways to Save Money Today!

1. Complete the Temporary Authorization to Review Information (AC-3) form on the website and fax to (866) 567-9380

2. Contact a Customer Support Unit representative at (800) 825-6755, option 3 for verbal authorization

3. Scan code below with QR reader on smart phone to explore reducing workers’ comp premium

See how other OOGA members have saved nearly $35 million since 1991 in workers’ compensation premiums

OOGA OFFERS NEW BENEFIT OPTIONS FOR MEMBERS AVAILABLE JANUARY 1ST 2014

OOGA has partnered with DAWSON Companies & BOST Benefits to offer New Benefits to members and their families January 1, 2014. Detailed information on each plan will be included in your benefits packet mailed the first week of November. Your packet will include instructions on how to enroll through a special OOGA call center or by using the forms provided in your enrollment kit.

New benefits include:

LIFE INSURANCE – GUARANTEED ISSUE WITH NO MEDICAL QUESTIONS

DENTAL BENEFITS – Benefits for Cleaning/X-rays/Basic & Major Procedures

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ACCIDENT PROTECTION – 24/7 Accident protection

For any questions please contact – Kathleen Cooke or Michael Berube

Kcooke@dawsoncampanies.com Mberube@bostbenefits.com

DAWSON COMPANIES – (800) 860-0090 Ext. 6550 BOST BENEFITS – (877) 283-7600 Ext. 360
Member Spotlight

Dan Pottmeyer, Producers Service Corporation

The Member Spotlight series features legacy OOGA members who are in the producer or well service company categories and who have also been a member of the Association for at least ten years. If you’d like to suggest an individual to be highlighted, please contact Anne Carto.

Please share how you got involved with the oil and gas industry and what Producers Service Corporation does:

I became interested in petroleum when I went to college. I’m originally from the Marietta area and I was lucky enough to go to Marietta College. I first met the football coach because I wanted to play football. He introduced me to the head of the petroleum department, who was Elmer Templeton at the time. Before that, I knew I wanted to study a science—I just didn’t know what science. I was lucky to just have that meeting fall into place.

I’ve been in the business for close to 40 years. I started working in 1974 and came back to Zanesville, Ohio to work as Vice President for Producers Service when they started in 1981. Producers Service Corporation does hydraulic fracturing. We do some acidizing work too, but it is a relatively small portion of our work. We have two conventional fracturing crews and two large shale crews.

The major turning point for me, and Producers Service, was in 1994. It was pretty bad in the industry. The company was close to being sold and we (employees) were able to put together a competitive bid and buy the company. We became an ESOP, which means employee-owned. Since then, things have gotten better. I believe the turning point in 1994 was really major; being employee owned is the strong point of our company today.

What was the biggest challenge the company faced over the years?

The major hurdle that came recently was the lack of conventional work going on in the state of Ohio. In response, our company made the decision to be able to do the large frac jobs that go on with horizontal drilling and completions. We had to make the decision to build a shale crew when the company was actually losing money because of the state of the industry at that time. We made the decision to target Marcellus operations—no one was talking about the Utica Shale at that time. The Utica Shale was not on the horizon, so we built our first shale crew to work in West Virginia because it was relatively close. Luckily, in the mean time, the Utica Shale has developed and we’re the one fracturing company that’s based in Ohio—we’re the Ohio company. Although we’re much smaller than all of our competitors, we can compete with them and one reason I believe is because our employees all own some portion of the company and that ownership shows in our service.

Another thing that happened just recently is we were able to create and add our second shale crew, which was a major investment. Once the first was working, we always had the feeling of having our eggs in that one basket and that’s not a good thing. So to diversify, we needed a second shale crew. One would think that we could work with the banks we’ve worked with through the years to borrow some money to build the second crew, but it was not easy. I think it had to do with the state of the industry and the state of the banking industry. It took us two years to get financing; that was a major battle. Now we have two full-time shale crews working and that’s a good thing.

Tell us about your successes:

We’ve had some success in the past couple years, including hiring over 60 people. Traditionally, our company has had about 40 people employees and with the addition of the two shale crews, we’ve added another 60 and plan to hire more. We’ve added a number of jobs, but it is not easy work. These people work a lot of hours and spend a lot of time away from home, but as far as we’re concerned, they’re pretty good paying jobs.

Not only have we hired Ohioans to work in both Ohio and surrounding states, but we also strive to use as many local parts in the equipment we build ourselves. Most of our equipment is built in house. First, we try to find locally made items, then continue our search throughout the state and country. We think it is important to support the area in which we’re operating and where our employees live.

The idea that we’re employee-owned is our shining glory, I believe. We still operate under the confines of traditional business, but the best part of being employee-owned is that the other supervisors and I don’t have to spend time worrying about whether the entry-level employees are doing their jobs. They quickly realize that what they do every day does make a difference and if they do a good job, in turn the company will do well and they’ll be rewarded financially. All of our competitors are much larger than us, but we can compete with them because our employees care. That makes a difference; we frequently hear it from our customers.

You are recognized for your success in silica dust control and worker protection, can you touch on that?

That is another advantage we have because we are a relatively small company. One of the things we have is a number of people that have worked in the industry for as long as I have.
We all got our start with another large service company and we can use that experience to make things better here.

We implemented dust control and the good thing about that is when we brought the choice to our customer, it was readily accepted and adopted. It adds to the cost a little bit, but the advantages greatly outweigh the small cost per stage. Without the silica dust control that we use on these large jobs, you'd need to use a respirator or dust mask to be safe. With our dust collector in operation, the dust levels are way below any levels that would require you to wear even a paper dust mask. It is good for us, it is good for the company we are working for, and it is good for anyone else on location that might come into contact with silica dust.

Because we're small, we don't have to go through the channels that some of the larger companies would have to go through to adopt a system like that. We worked with the Bureau of Workers' Compensation. They have come on location to test the dust levels both before and after, so we know what the results are with that system in place.

Another innovative system that I don't believe our competitors use is our own firefighting system. On location, we have as many as 20-25 trucks, we use a lot of diesel during each stage and that's a danger. To protect the fleet, we implemented a firefighting system in which we can generate foam in case there is a problem. Some of the locations we work on are pretty remote, and yes the firefighters can get there, but it may take them a while. This way we can get the problem under control by the time they arrive. We feel like we're very innovative in that area as well.

**How have you adapted to growing shale development?**

While we expanded and created shale crews to be involved in both the Utica and Marcellus, we've maintained our commitment to legacy operators because they've supported us through the years. We'll continue to do that as time goes on and I believe one of the things that will happen is the legacy operators (with time) will be able to adopt the technology that is being used in the Marcellus and the Utica and hopefully start using that technology on the more conventional formations. As a matter of fact, I just got a request for a bid from an operator planning to complete a horizontal Clinton well. I believe the future looks good for some of the legacy operators because they can learn and adopt some of the horizontal drilling and fracturing we are using in the shale and learn to use them in the more conventional formations. So I believe the future looks bright for them too.

**How would you say your involvement with OOGA has helped you and the company?**

Being involved with the OOGA and being a trustee has really helped me and has really helped the company because the majority of our customers are in that group. I get to have customers readily available and I certainly have learned a lot in every trustee meeting. To me, it is daunting how much business is conducted in every one of those meetings. The wealth of knowledge I’ve come in contact with has really helped me. I hope some of the other members have learned some things from me as well.

Want more? Check out our blog each month at www.ooga.org for video profiles on highlighted members!
Common Cause Cries Foul, Lacks Facts to Support Claims

By: Brian Hickman, Director of Government Affairs

On September 19, Common Cause released a report on oil and gas campaign contributions from July, 2011 through June, 2013. The goal of the report is to use the oil and gas industry as an example to push for stronger campaign disclosure regulations in the state of Ohio. But, as Mark Twain once said, “Facts are stubborn things, but statistics are pliable.”

First, Common Cause states the following about Senate Bill 315 from last year:

“In 2012, facing questions about the safety of the dozens of chemicals used in fracking, the industry proposed and passed its own standard for disclosure of these chemicals as part of SB 315—a standard which lets companies avoid disclosing chemicals they deem to be proprietary information.”

Two important points need to be made. First, the industry did not draft this legislation. The legislation pertaining to oil and gas regulation was drafted by the Kasich Administration. The bill in question was called the “Energy MBR” – the Governor’s Mid-Biennium Budget Review bill for energy policy dealing with several issues, including oil and gas policy. While the industry agreed with the final product, the bill underwent several changes (as do most bills that actually move through the legislative process). To allude that the industry “got its way” is simply folly. (You can read more about Substitute Senate Bill 315 on the OOGA website)

Secondly, the proposals included in Senate Bill 315 on the disclosure of hydraulic fracturing fluids are one of the most stringent sets of regulations in the nation. Additionally, an amendment was added to Senate Bill 315 at the request of environmental interests to allow a medical professional (in the event that an incident happens on the well site and an injury due to a chemical compound occurs) to be allowed access to “trade secret” information. But don’t take my word for it. Read this excerpt from a post on the Akron Beacon Journal website from the Ohio Fire Chiefs Association on Senate Bill 315:

“Nor is it true that first responders cannot access information on “trade secret” chemicals used in the exploration, drilling, and production of natural gas and crude oil. The “trade secret” is only the “recipe” used by specific companies, and does not exempt companies from identifying the chemicals used in their operations under state and federal laws when necessary to protect human health. Ohio statutory changes in SB 315, for example, expressly require chemical disclosures to first responders in order to treat people impacted by an incident at an oil and gas site – even where the chemical might otherwise have “trade secret” protection. The fact is, the chemicals used in the exploration, drilling and production of natural gas and crude oil consist of many of the same compounds we use in our everyday lives.”

This was conveniently left out by Common Cause, most likely because it didn’t fit the Common Cause narrative of the industry.

The group alleges that the oil and gas industry has begun to push its legislative agenda regarding chemical disclosure of hydraulic fracturing fluids through the American Legislative Exchange Council (ALEC). While the OOGA has never been a member of ALEC, the report fails list any further details as to which ALEC members are pushing the proposal.

Common Cause discusses the industry’s recent “successes” in defeating several attempts at increasing the state’s severance tax. While Common Cause implies that this was strictly done due to campaign contributions, I would state that maybe these proposals didn’t gain traction because they were bad public policy (You can find out more about the Ohio oil and gas severance tax on the OOGA website). Legislators correctly realized that increasing the state’s severance tax was...
the wrong idea, especially during the expedited time frame of
a state budget bill.

Common Cause goes on to detail the campaign contributions
of several companies and prominent members of the oil and
gas industry. These campaign contributions are available
online at the Ohio Secretary of State’s website. Everyone
has the right to make a campaign contribution and exercise
their First Amendment rights as they pertain to Free Speech.
The only caveat is that you follow Ohio’s campaign finance
law. This Association and its members have not violated
any campaign finance laws and will continue to support
candidates who support proper public policy that fosters
economic development for the state of Ohio.

On a side note, I saw this tidbit in an article by Andy Chow.
It stated:

“…the industry doesn’t represent the top spenders in the
world of Ohio lobbying. According to the annual report from
the Joint Legislative Ethics Committee, that distinction goes
to the Wholesale Beer and Wine Association and the Ohio
Environmental Council.”

So, when should we expect Common Cause to release the
expose’ on the lobbying practices at the Ohio Environmental
Council? I won’t be holding my breath on that one.

With all of these issues in the background, Common Cause’s
true goal is to push for more changes to Ohio’s campaign
finance disclosure laws by implying the oil and gas industry
is doing something wrong. The basis of this argument is that
A + B = C. “A” is the statement that Pennsylvania oil and gas
lobbyists (which has a “stronger disclosure law”) have spent
approximately $12.7 million in expenditures during 2012. “B”
is that, in Ohio during the same period, oil and gas lobbyists
have only reported $43,000 in expenditures. Finally, the
logical answer (or “C”) is that corruption is afoot.

The suggestion by Common Cause that Pennsylvania’s oil
and gas lobbyists have spent $12.7 million dollars on legislators
is inaccurate. That $12.7 million total includes fees paid to
lobbyists to work on behalf of a specific company or industry.
That money does not make its way to direct spending
on legislators, which this report strongly implies. Ohio’s
disclosure law requires the reporting of money that is actually
spent on legislative activity. Somehow this is still not sufficient
for Common Cause.

Common Cause specifically named 3 former legislators who
currently work in some fashion for the oil and gas industry.
The report implies that, because these former legislators
have sought employment opportunities after their legislative
careers have ended, there is some level of undue influence or
“payback” being perpetuated.

Legislators are required to make decisions that impact both
the communities that they represent and their legislative
careers. To think that a legislator would change their vote for
a friend, for money, for a job, or for any other various reason
that Common Cause may allege is offensive to the institution
that is the Ohio General Assembly and an insult to the
Member’s integrity. Maybe, after gathering all the information
and weighing all the options, legislators are simply make an
informed decision on a piece of legislation.
OEC Introduces “Fracking Mega-Bill”

By: Brian Hickman, Director of Government Affairs

On September 9, the Ohio Environmental Council (OEC) released their new proposal to properly regulate the Ohio oil and gas industry. The proposal – dubbed the “Fracking Mega-Bill” – has four general areas of improvement with thirty-two different policy initiatives. As of the time of print, the bill has not been formally introduced before the state legislature nor drafted by the Legislative Services Commission.

As noted above, the bill is based on four general topics. Those topics are environmental protection, enforcement and transparency, industry and government accountability, and property owner protection. Since there is no formal legislative language, we will review the proposals in a general sense, including details when necessary.

Under environmental protection, the OEC would like to see Ohio law address new air emission standards. This includes requiring the Ohio Environmental Protection Agency (EPA) to establish air emission controls on all phases of production, require methane capture on “all pipeline quality gas” during well completion, and require stringent “Clean Diesel” standards for engines used on-site. Increased water protections are also proposed, including stronger testing of water wells and streams around the well site, requiring a subsurface geological risk analysis (including abandoned wells), and additional oversight of water withdrawals (including no withdrawals from national or state scenic rivers).

The OEC is also “going back to the well” on a few proposals from previous debates. Once again, the OEC is proposing increasing minimum setbacks for oil and gas wells to 1,000 feet, additional permitting requirements for centralized treatment facilities, redefining the nature of radioactive materials, and the pre-permit disclosure of chemicals to be used on-site.

Another interesting provision (because this organization has previously stated they are not against oil and gas exploration) would allow local communities to designate land “unsuitable for drilling”. Local communities would be provided the right to petition the Chief certain “sensitive ecological areas” because of the “potential negative impact” to human health, safety and the environment. Those apply for an oil and gas permit would also be required to consult with the Ohio Historical Preservation Office to determine the potential impacts on historical areas.

OEC goes on to discuss their proposals to increase enforcement and transparency. Topping the list is the “scarlet letter law” – a provision which would deny the permits of operators who knowingly violate or repeatedly violate Ohio oil and gas law. In the same vein, the OEC proposes provided the Chief with the power to seek additional penalties (up to two times the amount of penalty) against a violator of Ohio oil and gas law for noncompliance.

Finally, several proposal include broadening public input to the permitting process, specifically requiring a public hearing for permits on public property, providing additional information and notification to the public on permitting activity, and requiring additional chemical disclosure reporting, including “trade secrets”, and additional reporting requirements at they pertain to the Emergency Planning and Community Right to Know Act (EPCRA).

Once again, the talk of raising the current severance tax on oil and gas has also popped up in this discussion. The OEC proposes that the severance tax be increased to 5% of market value. More importantly, the OEC stated on a conference call rolling out the proposal that the tax would apply to all wells in the State of Ohio. Distribution of the state’s severance tax would also change, providing only 50% of the proceeds to the regulatory program and providing additional carve outs, including 25% to a new local impact fund. This fund would reimburse local entities (fire, police, etc.) for their expenses acquired in response to oilfield emergencies.

Additional “industry accountability” provisions include a measure which would hold an oil and gas company liable for “all harms caused by fracking operations” and place the burden of proof on these claims on the operator. Another provision would authorize citizens the ability to petition the Chief to initiate a rulemaking process on a certain issue.

Finally, under the “Property Owner Protection” portion of the proposal. The OEC calls for the regulation of landmen in Ohio. Under the proposal. A landman would need to obtain a license to operate in the state via ODNR and provide the landowner with a disclosure statement which must be thoroughly explained to the landowner and signed before the deal is final. If a landman did not obtain a signed disclosure statement or provide the landowner a copy of said statement, they would be in violation of Ohio law. Landowners are also provided the ability to audit of the company’s records as they pertain to post-production costs.

Again, as of the time of print, the OEC does not have a sponsor for this legislation. The OEC commented during the release of the proposal that they would also be content in breaking the bill into smaller portions in an effort to get these proposals enacted.

Either way, you shouldn’t be surprised if these issues continue to be debated at the Ohio Statehouse.
More Exciting News Coming From The Hickory Bend Project

By: Shawn Bennett, Energy In Depth

The NiSource and Hilcorp Energy’s natural gas processing project just announced the construction of a $60 million pipeline to move natural gas liquids (NGL’s) from their cryogenic natural gas processing plant in Springfield Township in southern Mahoning County to attractive market destinations. Pennant Midstream will construct the 12-inch, 38-mile pipeline from southern Mahoning County to Utica East Ohio’s Fractionator in Scio, which is located in Harrison County.

“The construction of new infrastructure is critical to unlocking the potential of the Utica Shale play in Ohio,” said Jimmy D. Staton, Columbia Pipeline Group and NiSource Midstream Services CEO. “This partnership will not only provide a key link in that infrastructure, it will provide economic-related benefits for companies and residents of Ohio and the Appalachian Basin.”

The 38-mile pipeline will have the capacity to deliver nearly 90,000 barrels of NGL’s a day to a Utica East Ohio pipeline in Columbiana County which will then transport the NGL’s to their fractionator in Harrison County. After going through the fractionation process, the natural gas liquids will be sent to the appropriate markets by rail or pipeline.

This new project will create even more work for the local trades who have been working on the Hickory Bend project since its inception. Local 125 of the Laborers International Union and other locals are currently busy working on an 18.5-mile gas header to the cryogenic plant from Petersburg to Leetonia in Columbiana County. That project alone could employ 270 people from various local trades.

With this new $60 million NGL pipeline, Hickory Bend will create more jobs and revenue for the Mahoning Valley. As Rocco “Rocky” DiGennaro, business agent for Local 125 of the Laborers International Union reports:

“If we build lines into the plant, we also have to build them out,”

These new opportunities have been a shot in the arm for the local. The Oil and gas industry now represents 60% of Local 125’s business.

The pipeline is currently under construction and is expected to be complete by July 2014. Once the pipeline is complete, natural gas liquids will have a destination from the wells being completed in the northern portion of the Utica Shale developing region, which should help relieve some of the bottleneck in Mahoning and Trumbull counties.
OOGA Board of Trustees Nominating Committee Slate

Term: January 1, 2014 - December 31, 2016

*Designates Incumbent

Producer (7 to be elected):

Nathan Anderson
PDC Energy, Inc.
Denver Colorado/Marietta, Washington County

Clinton W. Cameron*
Cameron Drilling, Inc.
Zanesville, Muskingum County

Frank W. Gonzales*
Gonzoil, Inc.
Canton, Stark County

Matthew Hammond
Chesapeake Energy
Columbus, Franklin County

Melissa Hamsher
Eclipse Resources
Zanesville, Muskingum County

Mark D. Jordan*
Knox Energy, LLC
New Albany, Franklin County

John W. Miller*
AIM Energy, LLC
North Canton, Stark County

Gregory J. New*
Dorflman Production Co.
Beloit, Mahoning County

Richard C. Poling*
RC Poling Company, Inc.
Junction City, Perry County

Mark A. Sparr*
JR Smail, Inc.
Wooster, Wayne County

Allied Industry (1 to be elected):

Scott Hallam
Access Midstream
Canton, Stark County

Jonathan W. Hudson
Appalachian Well Surveys, Inc.
Cambridge, Guernsey County

Associate (1 to be elected):

Brent Breon*
Caiman Energy/Blue Racer
Uniontown, Stark County

David E. Callahan
MarkWest Energy Partners
Harrisburg, PA

Contractor (1 to be elected):

David J. Ballentine
North East Ohio Oilfield Service, Inc.
Garrettsville, Portage County

James Hawkins
J. Hawk Water Services, LLC
Malvern, Carroll County

Professional (1 to be elected):

David Bodo Jr.
David Bodo & Associates, Inc.
Carrollton, Carroll County

Brian Coblentz*
Appalachian Oilfield Technologies, Inc.
Millersburg, Holmes County

Gary Slagel
Steptoe & Johnson
Canonsburg, PA

*Designates Incumbent

Please see candidate bios on the next page.

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Web: uticastaffhousing.com
MAJOR CREDIT CARDS ACCEPTED
Producer (7 to be elected, vote for 7)

Nathan Anderson, Asset Manager, PDC Energy, Inc., Denver, Colorado and Marietta, Ohio. Nathan has over 14 years of engineering and operations experience in the oil and gas industry. Nathan received a BS in Geology from North Dakota State University in Fargo, ND. Nathan worked for BJ Services Company. In 2004 Nathan joined PDC Energy. Prior coming to Ohio he served as an Asset Manager for PDC’s Piceance Basin in Colorado and northeast Colorado properties. He currently oversees PDC’s emerging Ohio assets. He has worked on drilling & completion projects throughout the United States including northeast CO, DJ Basin, western CO, WY, NM, MI, ND, western KS and OH including a range of projects from shallow vertical wells to deep horizontals. He has participated in WSCOGA, COGA & SPE in CO. Nathan has been a member of OOGA since late 2011. He has participated in various OOGA initiatives but is excited to utilize his leadership abilities and oil & gas experience towards a greater role in future OOGA activities, understanding that the next few years are critical to the future of Ohio’s oil & gas climate.

*Clinton W. Cameron, Partner, Cameron Drilling, Inc., Zanesville, Ohio. Clint started working in the oilfields at a very young age with his father Richard and Uncle Jim. He continued working with Cameron Drilling Co. Inc. after graduating from West Muskingum High School in 1981. He has been a Washington Township Trustee for 22 years and currently serves on The Century National Bank Board of Directors. Clint joined OOGA in 1992, was elected as a Trustee in 2003 and currently serves on the Producer’s committee.

*Frank W. Gonzalez, Co-founder and Secretary/Treasurer, GonzOil, Inc., Canton, Ohio. Frank joined OOGA in 1989 and has been active on the Association’s regional producers’ committees eventually becoming chairman of OOGA Region I & II for several years. He was first elected as a Trustee of OOGA in 1996, and has served continuously since that time. He has participated in the OOGA Membership Committee, and has served as chairman of the Membership Committee in the past. In 2006 he was elected to OOGA’s Executive Committee for a two year term. He is involved with the Ohio Oil and Gas Energy Education Program and is currently chairman of the OOGEEF scholarship committee. Frank is also a member of the Council of Petroleum Accountants Societies (COPAS) and the Ohio Society of Professional Engineers (SPE).

Matthew Hammond, Senior Director, Government Relations, Chesapeake Energy, Columbus, Ohio. Matthew has been with Chesapeake Energy for three years, directing their government relations efforts in Columbus. In this role, he has worked with OOGA on legislation that made significant changes to Ohio’s oil and gas laws, specifically SB 315 (129th General Assembly) and HB 59 (130th General Assembly). Additionally, he has worked closely with OOGA on oil and gas tax policy and anti-development legislation. Prior to joining Chesapeake, he was VP at Strategic Public Partners for six years where he managed several high profile energy projects, including the Ohio component of the Rockies Express Pipeline. Understanding the importance of a unified industry, he has made it a priority to work closely with OOGA in his three years at Chesapeake. Matthew currently serves on OOGA’s Executive Committee; Board of Trustees; Government Affairs Committee, and RUMA and Midstream Subcommittees.

Continued on the following page
Producer (7 to be elected, vote for 7) (cont.)

Melissa Hamsher, VP Environment, Regulatory, Safety, and Construction, Eclipse Resources, Zanesville, Ohio. Melissa has decades of experience in the oil and gas industry and have served as a corporate officer in multiple basins for the last decade. She enjoys her current roles in OOGA work groups, such as the RUMA and the Technical Subcommittee. She looks forward to more opportunities to participate with OOGA, as conventional and non-conventional operators explore Ohio. She has held board positions on multiple industry groups across various states, and have written technical best management practices for the oil and gas industry in conjunction with those industry groups. Melissa holds multiple engineering degrees, and is excited at the prospect of lending her knowledge and experience to the OOGA board.

*Mark D. Jordan, President, Knox Energy, LLC, New Albany, Ohio. Mark has worked in the industry for 29 years. He joined OOGA in 1988 and elected to the Board of Trustees in 2000 and currently serves on the Executive Committee. He also serves on the OGPUPS Board of Trustees. Mark’s goal is to help OOGA serve our industry in every way we can.

*John W. Miller, Owner, AIM Energy, LLC, North Canton, Ohio. John holds a B.A. degree in accounting and an MBA degree from Kent State University, Kent, Ohio. He is also a Certified Public Accountant. From 1975 through 1977, he was employed in public accounting. In 1977, he joined Belden and Blake Corporation, a publicly held oil and gas company, where he served as Corporate Controller from 1981 through 1987 before joining Alliance Petroleum Corporation (APC) in 1988 as Chief Financial Officer, Treasurer and Director. During 1991 he was promoted to Chairman, Chief Executive Officer and President of APC. John joined OOGA in 1992 and has served as a member of the OOGA Board of Trustees since 2001. He also served as a member of the Executive Committee from 2002 – 2008. He is currently a member of the OOGA Board of Trustees and Audit Committee. Member since 1992.

*Gregory J. New, Vice President, Dorfman Production Company, Beloit, Ohio. Dorfman is a Dallas, Texas based Company that has been drilling in NE Ohio since 1966. Greg is also the President of Brineaway, Inc., and has been in the salt water disposal business since 1985. He has a Bachelor of Science degree in Petroleum Engineering from Marietta College and has drilled and operated wells in Ohio for Dorfman over the past 35 years. He joined OOGA in 1978 and was elected as a Trustee in 2011. He presently serves on the Producer’s Committee. Greg has been a member of SPE since 1976 and am a member of AAPL. After all these years I still love this business, let’s join hands with OOGA and strive to make it better.

*Richard C. Poling, RC Poling Company, Inc., Junction City, Ohio. Dick worked with his father, who was an oil well pumper, as a boy and after graduating from Logan High School in 1971 attended Muskingum Technical College and obtained a degree in Petroleum Engineering. He then worked for the Oxford Oil Company and then Bremco. In 1980, he started the R. C. Poling Co., which drills between 5 and 15 wells per year and operates 150 wells in eight counties of Southeast Ohio. Dick is a director of the Commodore Bank in Somerset, Ohio and Vice Chairman of the board of South Central Power Co. of Lancaster Ohio and was elected to the Board of Trustees in 2011.

*Mark A. Sparr, President, JR Smail, Inc., Wooster, Ohio. Mark has 28 years’ experience in the oil and gas industry; from leasing to drilling. During this time he has experienced the highs and lows of the business and recognizes the important part that OOGA plays in keeping its members informed and well represented in Columbus. He has been an OOGA member since 1992 and currently serves on the Producer’s Committee and the OGPUPS board. Mark has served on the Board of Trustees since his election in 2009.

Allied Industry (1 to be elected, vote for 1)

Scott Hallam, General Manager – Utica, Access Midstream, Canton, Ohio. Scott Hallam is the Utica General Manager at Access Midstream. Responsibilities include the profit & loss management, pipeline and facilities design and construction, and asset operations. His work history includes several operations and engineering positions at Dominion Resources and East Ohio Gas along with SAIC and the Ohio EPA. He is a lifelong resident of Ohio with a background that also includes a BS, MS, MBA as well as a Project Management Professional and Six Sigma Black Belt. He is a proud member of OOGA since 2006 and have served on Project Review Committee (PRC) and Midstream sub-committee. I served on the PRC from 2007 through 2011 and managed projects resulting in $35 million in Dominion East Ohio enhancements to outlet Ohio production to high pressure systems. My Midstream sub-committee services included helping to shape pre-legislative discussions and the ultimate creation of Senate Bill 315.


Associate (1 to be elected, vote for 1)

*Brent Breon, Vice President of Business Development, Caiman Energy II and Blue Racer Midstream, Uniontown, Ohio. Brent’s focus area is developing gas gathering, processing, and fractionation opportunities in the Utica Shale. Prior to joining Caiman in 2011, he worked for 14 years at Dominion Resources in various Operations, Engineer, and Business Development roles. He graduated from The University of Akron with a Bachelor’s degree in Mechanical Engineering and a Master’s degree in Business Administration. He is
2014 OOGA Board of Trustees Candidates (cont.)

James Hawkins, Owner/Operator, J. Hawk Water Services LLC, Malvern, Ohio. James worked at Belden & Blake Corp. for 22 years in various service positions, including roustabout, rig hand, truck driver, equipment operator and finally Manager of Operations for trucking, equipment, disposal wells and roustabout service. Employed by Arvilla Oilfield Service for two years as Manager of Operations in Ohio before leaving to start J Hawk Water Service in 2006. He currently provides all roustabout services for J Hawk Water Service along with overseeing water trucks and disposal wells throughout the state of Ohio. James has been a member of OOGA for over 10 years.

Professional (1 to be elected, vote for 1)

David J. Bodo, Jr., Vice President, David Bodo & Associates, Inc., Carrollton, Ohio. David’s family business is an active participant in Ohio’s Oil and Gas Industry since the late 70’s and has staked or platted over 4500 wells. He is a Registered Ohio Professional Surveyor and a former instructor at the University of Akron. As a surveyor in Ohio’s Oil and Gas industry he understands the changing needs of the industry and has always done his best to provide a seamless and efficient way to accomplish their needs. He joined OOGA in 2004 continuously attending and supporting conferences and meetings. He worked with ODNR on the platting side of S.B. 165, and regularly attends TAC meetings. David is a past member of the OOGA Board of Trustees.

*Brian Coblentz, President and Owner, CPRO Development and Appalachian Oilfield Technologies, Inc., Millersburg, Ohio. Brian worked for MultiProducts for 5 years prior to starting CPRO Development, a pipeline contracting company, and Appalachian Oilfield Technologies, Inc. a software and production enhancement company. He has a degree in Mechanical Engineering from Kent State, and has been in the Ohio oilfield for over 20 years. Brian joined OOGA in 2000 and was elected to the Board of Trustees in 2011.

Gary E. Slagel, Government Affairs Specialist, Steptoe & Johnson PLLC, Canonsburg, Pennsylvania. Prior to joining Steptoe and Johnson, Gary served as Director of Government Affairs and later, Senior Advisor of Environmental Affairs for Consol Energy’s natural gas activities (CNX Gas) in the Appalachian Basin. He has established himself as a leader on legislative and regulatory issues impacting natural gas development and use. He continues to serve on the board of the Pennsylvania Independent Oil and Gas Association; he chairs WVONGA’s Unconventional Gas Committee and serves on IPAA’s Environmental and Safety Committee. He also serves on the Pennsylvania DEP’s Oil and Gas Technical Advisory Board that reviews and comments on draft rulemaking proposals. Gary has served on OOGA’s Environmental and Government Affairs Committees and participated in OOGA’s 2013 strategic planning session.
Background

The Emergency Planning and Community Right-to-Know Act (EPCRA) of 1986 is a federal statute that was passed in response to concerns about the environmental and safety hazards posed by the storage and handling of Hazardous Chemicals. The goal is to inform the public about the presence of hazardous substances in their community. EPCRA accomplishes these goals by imposing notice and reporting requirements on owners/operators of facilities that use, store, produce, or release hazardous chemicals in excess of certain threshold quantities.

In 1988, Chapter 3750 of the Ohio Revised Code (ORC) was enacted and, pursuant thereto, the State Emergency Response Commission (SERC) was created to implement EPCRA in Ohio. Recognizing that producers of oil and natural gas in Ohio were already subject to similar reporting requirements under ORC 1509, the Association, SERC and Ohio lawmakers sought to amend ORC 3750 to make reporting more streamlined. Even firefighters supported the amendment, acknowledging the duplicative nature of EPCRA reporting as applied to the industry and expressing concern about the creation of fire hazards at local fire stations from storing the paper. In addition, few had to guess at what was stored in a well's oil collection tank.

As a result, the law was amended in 2001 when the General Assembly adopted ORC 3750.081. This statute allowed a simple reporting mechanism for oil and gas well facilities to address overlapping reporting requirements under ORC 3750 and ORC 1509. That reporting system has worked well since 2001. In March 2013, a petition was filed suggesting that the alternative reporting mechanism under ORC 3750.081 violated EPCRA. As a result, U.S. EPA recently suggested that while “Ohio law . . . is similar to the federal EPCRA statute, [it] does not replace the federal EPCRA requirements.” SERC has now requested that owners/operators, who did not report this March for the 2012 reporting year but should have, file the Tier II reports for 2012 by November 15, 2013.

To assist our members, please review the following article prepared by Civil & Environmental Consultants, Inc. that outlines how to comply with the federal EPCRA reporting requirements.

CEC’s Article – EPCRA Reporting Requirements

On September 11, 2013 the State Emergency Response Commission (SERC) sent a letter to oil and gas owners and operators in Ohio informing them that they may be subject to the reporting requirements under the federal Emergency Planning and Community Right-to-Know Act (EPCRA). Previously, owners/operators satisfied their EPCRA reporting obligations under Ohio Revised Code (R.C.) 3750.081 by submitting the information on their annual statements of production; however, in April 2013, U.S. EPA determined that this reporting did not supersede the reporting requirements of EPCRA and therefore owners/operators of facilities that are subject to EPCRA must also now comply with EPCRA reporting requirements.

A facility is subject to EPCRA reporting requirements if a “Hazardous Chemical” or Extremely Hazardous Substance (EHS) is present at the facility at any one time in the applicable reporting year equal to or above the following threshold quantities: (a) 10,000 pounds for Hazardous Chemicals, and (b) 500 pounds or the Threshold Planning Quantity (TPQ) for EHS (see 40 CFR 355, Appendix A for the EHS list), whichever is lower. Oil and gas well owners/operators should take the following steps to determine if their facility is subject to EPCRA reporting:

- Step 1: Obtain current copies of all material safety data sheets (MSDS) for all chemicals stored or used at the well.
- Step 2: Determine if the chemicals are classified as Hazardous Chemicals or an EHS.
  - “Hazardous Chemical” means any chemical which is classified as a physical hazard or a health hazard, a simple asphyxiant, combustible dust, pyrophoric gas, or hazard not otherwise classified (29 CFR 1910.1200(c)). It should be noted, however, that almost all chemicals having an MSDS are considered by EPA to be Hazardous Chemicals.
  - Examples of EHSs include, but are not limited to, sulfuric acid, ammonia, and hydrogen sulfide.
- Step 3: Conduct a chemical inventory of all Hazardous Chemicals and EHSs that are currently, or were at any one time, present at the facility and compare the quantities of the chemicals in pounds to the applicable threshold quantities.
  - For reference, one barrel of crude oil weighs approximately 300 pounds.
  - To determine whether a Hazardous Chemical contained in a mixture equals/exceeds threshold levels, multiply the concentration of the Hazardous Chemical component (in weight percent) by the weight of the mixture (in pounds). (See 40 CFR 370.14)
  - Remember that the threshold quantities are applicable to a Hazardous Chemical or EHS present at the facility at any one time during the past year.
If either of the threshold quantities are met, the owner/operator of the facility is required to file with the SERC, Local Emergency Planning Commission (LEPC), and the local fire department, respectively, the following EPCRA submittals:

- **Initial Notification:** An Initial Notification must be submitted in writing to SERC, LEPC and the local fire department:
  - For each Hazardous Chemical for which an Initial Notification has not previously been submitted, within 90 days after that chemical was first present at the facility at or above threshold quantities; and
  - For each EHS for which an Initial Notification has not previously been submitted, within 60 days after that EHS was first present at the facility at or above threshold quantities.

- **Tier II Chemical Inventory Report:** The Tier II report is required for all facilities where a Hazardous Chemical or EHS was present at or above the reporting thresholds at any time during the previous calendar year. The Tier II Chemical Inventory Report must be submitted to the SERC, LEPC and local fire department by March 1st for the previous reporting year.
  - Those opting to comply by paper filing must submit a (1) a Facility Identification Form, (2) Facility Map, and (3) Chemical Inventory Form for each facility subject to EPCRA. Copies of the requisite forms may be obtained from Ohio EPA’s website at http://epa.ohio.gov/dapc/serc/invforms.aspx. (Note: If you previously reported under EPCRA and used the Ohio EPA’s paper forms, Ohio EPA has indicated that you can use the existing paper form for the November 15, 2013 submission deadline.)
  - To submit electronically, you may download the “Tier 2 Submit” software from U.S. EPA’s website at http://www.epa.gov/osweroe1/content/epcra/tier2.htm.

- **Trade Secret Claims:** Facilities have the option of withholding chemical information as a “Trade Secret” by identifying the chemical with a generic chemical class (e.g., list “toluene diisocyanide” as “organic cyanide”) and check the box marked “Trade Secret”.
  - Trade secret information must include a trade secret substantiation form. Instructions can be found at: http://www.epa.gov/osweroe1/content/epcra/tier2.htm.
  - Pursuant to EPCRA section 324(a), the locations of hazardous chemicals at a particular facility can also be claimed as confidential by checking the appropriate box on the Tier 2 reporting form.

Ohio oil and gas conventional well facilities historically submitted EPCRA reports until the law changed in 2001 using a form specifically developed for those well sites where only oil and brine were stored. That form may be obtained from Ohio EPA’s website at http://www.epa.state.oh.us/Portals/27/serc/Oil&Gas_extraction_sites.pdf.

It is up to the owner/operator to ensure compliance with the law for each of its facilities during all phases of well development, including, but not limited to, construction of the pad, drilling, completion and production. One phase of well development may involve the presence of a Hazardous Chemical or EHS above threshold quantities that was not present at the well site during any previous phase, thereby triggering the Initial Notification requirement. Most times, these development phases can be completed by different contractors. A methodical reporting process should be implemented as a standard operating procedure at all well pads and attendant features where the reporting threshold is exceeded. Contractors should be required to submit an inventory of all onsite chemicals to the producer as part of their contract obligations. Onsite inventories can be verified in conjunction with other inspections such as storm water, erosion or routine site visits.

In conclusion, all facilities subject to EPCRA which did not report for 2012 need to do so by November 15, 2013. Going forward, all oil and gas facilities subject to EPCRA will need to submit their EPCRA Tier II report for the 2013 reporting year by March 1, 2014 using the “Tier 2 Submit” electronic software method.
OOGA Governmental Affairs Committee Report

Committee Continues to Monitor Upcoming Legislation

By: Jim Aslanides, Governmental Affairs Committee Chair

The Ohio Oil & Gas Association's Government Affairs Committee is discussing several legislative matters that would have a great impact on Ohio’s oil and gas producers.

In a recent committee meeting this September, the Committee reported on recent legislative changes contained in Amended Substitute House Bill 59 – the State Budget Bill. Several members expressed concerns over the soon-to-be implemented “quarterly reporting” provisions for horizontal wells. The crux of the concerns stem from how producers should report quarterly production information for previous quarters in 2013. Additional clarity may be needed on this issue.

Senate Bill 46 was discussed. This legislation, introduced by State Senators Joe Schiavoni and Frank LaRose, would increase criminal penalties associated with illegal brine disposal. While there is general support for the current federal statute for the prosecution of illegal brine disposal, there are concerns about broadening current state law to capture “all” violations of Ohio’s brine disposal law. For example, does a malfunctioning tank valve that leaks any fluid warrant a felony charge with a minimum $10,000 fine and a minimum three years in prison?

Finally, the Association participated in a recent study on Road Use and Maintenance Agreements (RUMA’s) stemming from last year’s Senate Bill 315. Uncodified language in the bill called for the Ohio Department of Natural Resources (ODNR) and the Ohio Department of Transportation (ODOT) to conduct a study on the effectiveness of these agreements. ODNR and ODOT reached out to this Association, along with local and municipal interests, to gather information for the report. The report will be presented to the Ohio General Assembly in the near future.

The Committee will continue to provide insight in the coming months on other legislative proposals as the debate on Ohio’s oil and gas laws continues before the state legislature.

Located in the heart of Ohio’s Utica Shale play, our law firm represents oil and natural gas producers, pipeline companies and energy service providers. Krugliak, Wilkins, Griffiths & Dougherty has more than eight decades of combined natural resources legal experience providing representation in the areas of:

- LEASE & TITLE ISSUES
- EASEMENTS
- ACQUISITIONS
- OPERATING AGREEMENTS
- LITIGATION
- JOINT VENTURES
- GAS TRANSPORTATION

Krugliak, Wilkins, Griffiths & Dougherty Co., L.P.A. has been named a 2013 “Best Law Firm” by U.S. News Media Group and Best Lawyers.
Federal Pipeline Safety Regulator Amends Enforcement Procedures

By: Keith J. Coyle, Esq., Babst, Calland, Clements & Zomnir P.C.

On September 25, 2013, the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a final rule amending its procedures for federal administrative enforcement actions. The amendments, which become effective October 25, 2013, are intended to comply with mandates in the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (Act), the most recent reauthorization of the federal pipeline safety laws.

Responding to industry concerns about the fairness of the administrative enforcement process, the U.S. Congress ordered PHMSA in the Act to issue regulations that: (1) require hearings to be convened before a “presiding official,” a term defined by statute as an attorney on the staff of the Deputy Chief Counsel who is not engaged in investigative or prosecutorial functions; (2) ensure the expedited review of corrective action orders (CAOs), which are issued in cases where a pipeline facility is hazardous to life, property, or the environment; (3) create a separation of functions between agency personnel who perform investigatory and prosecutorial duties and those who are responsible for deciding the final outcome of cases; and (4) prohibit ex parte communications with those decision-makers.

On August 13, 2012, PHMSA took the first step toward implementing these requirements by publishing a notice of proposed rulemaking (NPRM). The NPRM proposed to increase the maximum administrative civil penalties in pipeline safety cases to the levels authorized in the new law, i.e., $200,000 per day, per violation, not to exceed $2,000,000 for any related series of violations, and to make these penalties applicable to violations that occur after January 3, 2012, the effective date of the Act. In addition, the NPRM proposed to add a new definition for the term “presiding official”; to list the presiding official’s powers and duties; and to adopt new provisions for ensuring the separation of functions and prohibiting ex parte communications in enforcement actions.

The NPRM also proposed to revise PHMSA’s procedures for issuing CAOs, including establishing a new definition of “expedited review” and eliminating the 48-hour deadline for the presiding official to submit a post-hearing recommendation to the Associate Administrator. Other proposals in the NPRM included deleting the right to seek written interpretations from the Office of Chief Counsel, authorizing pipeline safety enforcement actions for alleged violations of the oil spill response plans, and requiring the filing of a petition for reconsideration with the Associate Administrator as a mandatory pre-condition for seeking judicial review in enforcement cases.

Several industry groups submitted comments criticizing the NPRM. They argued, among other things, that the proposed changes to the CAO regulations did not comply with the requirements of the Act and that the proposal to make the filing of a petition for reconsideration mandatory did not comply with the Administrative Procedure Act’s final agency action requirement. In addition, the comments stated that the modifications to the informal hearing process failed to ensure the fairness and impartiality of PHMSA’s enforcement process. The federal advisory committee that reviews PHMSA’s proposed regulations for hazardous liquid pipelines voiced many of these same concerns when it considered the NPRM at its December 2012 meeting.

PHMSA sought to address some of these criticisms by altering the final rules. Among other things, PHMSA included a provision allowing operators to seek an extension of the 30-day deadline for responding to requests for specific information; clarified the extent of the information that is available to operators in the government’s enforcement file; subjected the agency to a 10-day deadline for submitting evidence prior to an informal hearing; and deleted the requirement of filing petitions for reconsideration as a prerequisite for judicial review. PHMSA, however, did not agree to provide pipeline operators a copy of the presiding official’s recommended decision to the Associate Administrator in enforcement cases; to establish specific timelines and deadlines for the issuance of final orders in those proceedings; to provide additional information on the calculation of civil penalties; or to modify its proposal for ensuring the “expedited review” of CAOs.

An interested person can petition PHMSA for reconsideration of the final rule within 30 days of its publication date in the Federal Register. A petition for review of the final rule can also be filed with the United States Court of Appeals for the District of Columbia Circuit, or in the court of appeals of the United States for the circuit in which the person resides or has its principal place of business. A petition for review must be submitted no later than 89 days after the regulation is issued.
ODNR Releases Guidance for Quarterly Reporting on Horizontal Wells

By: Brian Hickman, Director of Government Affairs

On October 4, the Ohio Department of Natural Resources (ODNR) issued a letter regarding the quarterly reporting of production information as it pertains to horizontal wells. The letter is in response to relevant provisions contained in the recently enacted state budget bill – Amended Substitute House Bill 59. Please note that this reporting is only required for horizontal wells and does not impact reporting provisions for conventional wells.

As you may recall, when House Bill 59 was introduced, a provision was included in the legislation that would have required the quarterly reporting of production information from horizontal wells (defined as wells that are producing from the Utica or Marcellus Shale formations and have been hydraulically fractured) 15 days after the close of the quarter. The OOGA advocated for a broader period for reporting (45 days), so that enough time was provided to report production information to the ODNR in a more accurate manner. The 45 day language was included in the final version of the bill (As Enacted).

To this end, ODNR is informing the owners of wells in Ohio that production statements from horizontal shale wells for the third calendar quarter (June - September, 2013) is due by Friday, November 15, 2013.

If a company has over 100 producing wells, then the ODNR requires the electronic filing of production information via spreadsheet. Electronic filing of production data may be used for reporting production from any number of wells. Electronic filings should be sent to Steve Riley at: Stephen.Riley@dnr.state.oh.us.

If producers have any additional questions, they may contact either Mr. Riley ((614) 265-6785) or Steve Opritza.
Ohio Map of Utica Shale Activity

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Ohio Oil & Gas Association Bulletin – www.ooga.org

Provided By: Mackenzie Land & Exploration Ltd.

(614) 785-1682

UTICA HORIZONTAL WELL STATUS THROUGH 9/28/2013

PRODUCING (162)
- DRILLING/DRILLED (400)
- PERMITTED OR NOT DRILLED (350)

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TOTALS: 162, 390, 75, 326, 913

KEY
PROD: PRODUCING
PMT: PERMITTED
DRILG: DRILLING
DRLD: DRILLED

Legend

PRODUCING
PERMITTED
DRILLING
DRILLED

Map Scale: 1:100,000 (1 inch = 1 mile)

North Arrow

Mackenzie Land & Exploration Ltd.
www.mackenzie.com
(614) 785-1682
As we prepare for the fall and Congress to return, and with tax reform still a popular topic in Washington, we'd like to update you on where we find ourselves in the debate and how IPAA is continuing to assert itself through the Energy Tax Facts campaign (www.energytaxfacts.com) that was launched in April.

Letters to the Senate Finance Committee

Earlier this summer, Senate Finance Committee Chairman Max Baucus (D-MT) and Ranking Member Orin Hatch (R-UT) announced their “Blank Slate” approach to tax reform. Under this approach, all tax expenditures are removed from the code, to get the top marginal rates as low as possible. Tax writers will “write provisions back in” that are needed. As tax expenditures are added back in, the tax rates are increased to offset the revenue loss. IPAA has assumed that this is the approach Congress would likely need to adopt to undertake tax reform based on our meetings with Congressional tax writers.

As part of this process, Chairman Baucus and Ranking Member Hatch asked fellow Senators to send letters to the Senate Finance Committee by July 26th with the provisions that Senators want to be included in a reformed tax code.

In response to the Baucus/Hatch charge, IPAA worked to put together letters to ensure that the Senate Finance Committee understood the importance of oil and natural gas provisions. The Baucus/Hatch process offered Senators the option of holding their recommendations confidential. Some Senators submitted private letters and other Senators—notably those serving on the Finance Committee submitted no letters. However, Senators Jim Inhofe (R-OK) and Mary Landrieu (D-LA) led two separate, bipartisan letters pushing for the retention of oil and natural gas provisions in tax reform. One letter, signed by Senators Inhofe, Landrieu and Mark Pryor (D-AR) discussed the significance of most oil and natural gas tax provisions including those that are important to upstream, midstream and downstream operations. A second letter, signed by Senators Inhofe, Landrieu, Pryor and Tom Udall (D-NM) specifically addressed the preservation of (1) intangible drilling costs, (2) percentage depletion and (3) the passive loss exception for working interests. Separately, Sen. Mark Begich (D-AK) discussed the importance of the oil and natural gas industry—including independent producers—to both his home state of Alaska, and the nation, and the resulting need to preserve key oil and natural gas tax provisions.

Coalition on Percentage Depletion

IPAA has teamed up with a number of other extractive industry trade associations to educate policymakers on the importance of the percentage depletion deduction. The Coalition put together a fact sheet discussing the importance of the provision across industries—this is now available at www.ipaa.org. Additionally, the Coalition has met with nearly twenty offices on the Senate Finance and House Ways and Means Committees.

Prospects for Tax Reform

Overall, IPAA perceives that there are a number of obstacles facing comprehensive tax reform. Despite the difficulties, IPAA fully expects that the House Ways and Means Committee will mark up a tax reform package this fall—likely in October. Chairman Dave Camp (R-MI) has committed to holding such a vote and has outlined that his package will reduce top marginal tax rates for corporations and individuals to 25 percent, which will need to be offset by significant limitations—or outright elimination—of numerous provisions in the tax code. In the Senate, Chairman Baucus has indicated that he intends to move legislation through the Senate Finance Committee. The Senate, however, is more inclined to use tax reform as a revenue-raising mechanism to address debt/deficit issues. This spring, Democrats in the Senate passed a budget that signaled their desire to raise $975 billion in additional tax revenue from tax reform.

The most important indicator in determining whether tax reform moves forward is the issue of revenue. At this time, House and Senate leadership appear far apart on the issue of tax reform and revenue. In IPAA’s view, the likelihood of tax reform becoming law depends on the degree to which
Democrats embrace reform that is revenue neutral, or Republicans embrace tax reform that increases revenue. At this point, IPAA sees little movement.

Regardless of the likelihood of tax reform becoming law, a vote on comprehensive tax reform in the Ways and Means Committee this year, as well as a potential vote in the Senate Finance Committee, will firmly entrench party positions for future tax reform negotiations. This is especially critical for the independent oil and natural gas industry and is why IPAA has pushed for the inclusion of key oil and natural gas provisions in any initial drafts. IPAA will continue to work with Members of Congress who want increased American oil and natural gas production to protect key oil and natural gas tax provisions in any tax reform package.

In the meantime, IPAA is also undertaking a number of initiatives, including Energy Tax Facts, to get the message out that the oil and natural gas industry does not receive special treatment in the tax code, but rather uses business deductions similar to those used by other industries. More importantly, IPAA is telling the positive story of the independent producers in America—business that are creating jobs, producing American oil and natural gas, improving our balance of trade, and creating a long term, affordable energy supply for American families and American manufacturing. IPAA is articulating to policymakers that the federal government can enhance or impede the development of domestic oil and natural gas, which may alter each of these trends. Changes to oil and natural gas tax provisions would have an immediate impact.

To help bolster our efforts, IPAA members and leadership have shared their voice, providing video testimonials to help explain the importance of IDCs to American energy production.

With more than 10,000 page views to date, the Energy Tax Facts website is providing information and updates to those who need it the most. Alongside these great testimonial videos, the website holds a short animated video on the real facts behind American energy, detailed facts sheets, and blog posts. The News section also houses links to IPAA opinion pieces in publications including Roll Call and the Wall Street Journal, as well as columns from the Houston Chronicle and Forbes that detail the importance of a reliable tax code for the development of American energy.

As the budget debate in Washington continues, be sure to check back often with Energy Tax Facts, as the site will be frequently updated with new features and information to educate policymakers and the public on the facts about American energy production and the U.S. tax code.
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- American Energy Partners, LP
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- Ariel Corporation
- Artex Oil Company
- BP America
- Chesapeake Energy Corporation
- Civil & Environmental Consultants, Inc.
- Dominion East Ohio
- Eclipse Resources - Ohio LLC
- EnerVest Operating, LLC
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- Access Midstream Partners, L.P.
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- Atlas Energy, L.P.
- Babst Calland
- Caiman Eastern Midstream, LLC
- Chevron
- Dominion East Ohio
- The Energy Cooperative
- EnerVest Operating, LLC
- EQT Corporation
- Gatherco, Inc.
- David R. Hill, Inc.
- Hess Corporation
- J.D. Drilling Company
- Ken Miller Supply, Inc.
- KENOIL, Inc.
- Knox/Jordan Group
- Local 18 IUOE
- Mazurek, Alford & Holliday
- Mountaineer Keystone LLC
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- Black McCuskey Souers & Arbaugh, LPA
- Black Ridge Resource Partners
- Blue Dot Energy Services, LLC
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- Buckingham Doolittle & Burroughs, LLP
- Burgess & Nipple
- Burleson LLP
- Calfrac Well Services
- Cameron Drilling Co., Inc.
- Canter Surveying GPS Services, Inc.
- Canton Erectors Inc.
- Carrizo Oil & Gas, Inc.
- Century National Bank
- Chatham Associates
- Columbia Gas of Ohio, Inc.
- CompManagement, Inc.
- Conestoga-Rovers & Associates
- Consol Energy
- Cox-Collins & Associates, Inc.
- Critchfield, Critchfield & Johnston, Ltd.
- CTL Engineering, Inc.
- D.A. Nolt, Inc. of PA
- Dawwood Engineering, Inc.
- Dewberry
- Diversified Resources
- Dominion East Ohio
- Dornan Production Co.
- DTE Pipeline Company
- East Central Ohio Building & Construction Trades Council
- EDCO Producing, Inc.
- Edgemarc Energy Holdings LLC
- E.L. Robinson
- Enerfab, Inc.
- EnerVest Operating, LLC
- Enterprise Fleet Management
- E-Pak Manufacturing
- ERM
- Ernst Conservation Seeds
- Eurofins Lancaster Laboratories, Inc.
- Evans, Mechwart, Hambleton & Titon, Inc.
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Scout Members (cont.)

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JMW Trucking, Welding & Manufacturing
Jobs Henderson & Associates, Inc.
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Kruglik, Wilkins, Griffiths & Dougherty
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Langan Engineering & Environmental Services
Larson Design Group
Leff Electric
Lewis Glasser Casey & Rollins, PLLC
LJ Stein & Company, Inc.
Local 66 IUOE
Loomis, Evert, Parsley, Davis & Gotting, P.C.
LW Survey Co.
Lyden Oil Company
MacKenzie Land & Exploration, Ltd.
Marathon Petroleum Company
Maric Drilling Company
MarkWest Energy Partners, L.P.
Mason Producing, Inc.
McTech Corp
McTish, Kunkel & Associates
Mercy Medical Center
MFC Drilling, Inc.
Mid-Ohio Pipeline Services
Moody & Associates
Moore Well Services, Inc.
MS Consultants, Inc.
Nabors
NCL Natural Resources, LLC
Navarro & Wright Consulting Engineering, Inc.
Newpark Resources, Inc.
New Pig Corporation
Nicolozakes Trucking & Construction, Inc.
O’Brien & Gere
Ohio CAT
Ohio Energy Services — Waste Management
North Valley Bank
Pace Analytical
Packers Plus Energy Services
Pac-Van, Inc.
PDC Energy, Inc.
Petrox, Inc.
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Plains All American
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Pro Football Hall of Fame
Producers Supply Company, Inc.
PVR Partners
RETTEW
RiskControl 360
R&J Trucking, Inc.
Royal Chemical Company
Sadler Law Firm LLP
SAIC
S.E.T. Inc.
Schlumberger
Sierra Buckeye, LLC
Solid Oak
Source Rock Exploration
Stantec
Stateline Paving
Stephens & Johnson PLLC
Stingray Pressure Pumping, LLC
Summit Petroleum, Inc.
Squire Sanders (U.S) LLP
STV Energy Services, Inc.
TerraStar, Inc.
Test America Laboratories, Inc.
Tetra Technologies, Inc.
Tetra Tech
Thompson Hine LLP
A.W. Tipka Oil & Gas, Inc
Tracker Lario Utica, LLC
TRC Companies
Trendwell Energy Corporation
Tri-State Environmental Services
Triad Engineering
Universal Well Services
URS Corporation
Vavo, LLC
W.H. Smith Company
Welin, O’Shaughnessy + Scheaf LLC
Wheeling & Lake Erie Railroad Co.
William C. Abel & Associates
Winters & Lewis Excavating, Inc.
Young’s Environmental Cleanup, Inc.
Zeeco, Inc.
OOGA Hosts Tour of MarkWest at Ohio Chamber’s Policy Conference

By: Penny Seipel, Vice President of Public Affairs

Every two years, the Ohio Chamber of Commerce hosts a policy conference held at Salt Fork State Park. Attendees include Ohio Chamber members as well as legislators who are interested in learning about various issues of importance to the Chamber’s members in a relaxed atmosphere. OOGA has historically participated in the bi-annual event through attendance and sponsorship of the golf tournament. This year, we were flattered to be asked to host a bus tour of the nearby MarkWest processing facility in Cadiz, Ohio, in lieu of sponsoring the golf tournament.

During our bus trip to the Cadiz site, Tom Stewart educated the group on what midstream processing of natural gas entails, and why it is so important to Ohio. Natural resources like crude oil and natural gas are found in vastly different locations than where they are processed or refined into fuels for our lives. They are also found and refined in different locations than where there are consumed. This is why the 2.1 million miles of pipelines that crisscross the U.S. are so important. Those pipelines are regulated by the federal government which sets the standards of the quality of natural gas that can enter an interstate pipeline.

Those in Ohio’s oil and gas industry have long known that some areas produce high BTU (British Thermal Units) natural gas. While many have discussed the economic advantage this allows the Utica play when compared to other shale plays, what isn’t discussed is that producers can’t get the large quantities of natural gas produced through shale development to consumers without processing it first. For many tour participants, this was their first time learning about ethane rejection and transportation costs associated with natural gas and its components.

An estimated thirty people participated on the tour, including fourteen legislators. Many of the legislators who participated were not from the Utica Shale region and were unfamiliar with midstream processing and its importance to the industry. Those of us who have the privilege of representing OOGA before the legislature appreciate the opportunity to give hands on education to members of legislature so that they better understand the complexities of the industry. Our thanks to Linda Woggon at the Ohio Chamber who requested the tour. And many thanks our partners at MarkWest, David Callahan and Greg Sullivan, who welcomed us to the site and patiently answered over 45 minutes worth of questions from our inquisitive tour group.
Youngstown Hosts Third Annual Industry Expo

By: Mike Chadsey, Director of Public Relations

Recently, Tom Stewart, Pete MacKenzie and I attended the third annual - Youngstown Ohio Utica Natural Gas - conference and expo, known as YOUNG, at the Covelli Center. The Youngstown – Warren Regional Chamber of Commerce serves as the organizer and sponsor of the day’s activities. The daylong event saw over 1,000 visitors come through the doors and over 100 vendors, including OOGA.

The informative conference has several purposes. The first is to connect the oil and gas industry to the businesses of the greater Youngstown area. The second is for companies within the industry itself to connect to one another. Lastly, several speakers connect the industry with the people of the region by updating (and in some cases explaining) what is happening with natural gas development. The event has grown over the last several years and continues to offer a great insider’s view of what is helping to transform the valley.

This year the list of speakers was a wide range of industry experts addressing different sections of the valley’s growing energy sector. Speakers represented FMC Technologies, JobsOhio, IGS Energy CNG Services, Vallourec Star, Johan Pfeiffer, FMC Technologies, Dave Mustine, Energy, Chemicals & Polymers, JobsOhio, Jim Baich of IGS Energy CNG Services, M. Judson Wallace of Vallourec Star, Consol Energy, Blue Racer, and Valerus.

OOGA’s very own Executive Vice President, Tom Stewart, served as the day’s keynote speaker. Mr. Stewart discussed the global energy picture and how tight gas exploration has improved the energy future of the United States. In Ohio, we have begun seeing these benefits through increased oil and gas production, increased manufacturing, increased employment and decreased natural gas prices to heat our homes.

Mr. Stewart also commended the broader Youngstown community for seeing through the tactics of out-of-state interests who are trying to place a ban on oil and gas development within the city. The way that various groups have come together to defeat the ill-conceived “Community Bill of Rights” initiative in Youngstown should be model for other communities who want to welcome jobs and development to their regions.

One key component of the expo is how it facilitates a conversation with those residents in Youngstown and the greater Mahoning Valley region with those who work in and for Ohio’s oil and gas industry. Folks who have little to no working knowledge or experience with the industry can come in, ask questions, look at displays and become familiar with what it takes to provide the heat, fuel and by-products that they use every day and walk out with a better understanding of the facts and science behind development.

Events like the YOUNG 2013 conference and expo offer OOGA a way to connect to regional partners such as the Youngstown-Warren Regional Chamber. It also allows us to introduce ourselves to individuals who may not be aware of the Ohio Oil and Gas Association and the long standing history of advocating on behalf of Ohio’s diverse oil and gas industry.

This year’s conference was successful in terms of attendance and overall access to information and education. The city and the chamber should be proud of their efforts in promoting both Youngstown and the oil and gas industry.

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The Ohio Oil & Gas Safety Council met September 11th at the Cambridge Country Club to hear Sarah Ghezzi, Safety Consultant and CSP with OhioBWC, and Charlie Dixon from OOGEEP lead a discussion on “Safety Resources for the Oil & Gas Sector.” A nice diverse group of members attended including producers, contractors, and insurance companies—all coming together to talk about safety.

Sarah’s presentation provided an update to the current trends in fatality and injury incidents among various industrial sectors, highlighting that the oilfield can still be a dangerous place. From 2007 data, the most common oilfield accidents were “struck by object” and “caught in object, equipment, material” accounting for over 50% of the injuries.

Extractive industries Incidence Rates for 2011 were comparatively pretty strong compared to All Industries, however, fatal work injuries in oil and gas extraction industries rose 23 percent (from 112 in 2011 to 138 in 2012). The State of Ohio experienced a total of 154 work related fatalities.

Sarah and Charlie highlighted a few of the many training programs available to the industry:

RIGPASS: The International Association of Drilling Contractors (IADC, www.iadc.org) provides a standardized safety orientation program for new employees.

PEC: PEC Basic Orientation safety awareness course (www.pecsafety.com) includes SafeGulf and SafeLand and their Core Compliance program brings together the most requested HSE training certifications (OSHA and BOEMRE).

OOGEEP: Our own Ohio Oil & Gas Energy Education Program provides training in a number of content areas, including RIGPASS and SafeLand, H2S, and Firefighter/first responder training.

The Ohio Bureau of Workers Compensation (www.ohiobwc.com) is also a resource for a wide array of training opportunities resources.

The presentation closed with a brief introduction to two OhioBWC grant programs administered by the Division of Safety and Hygiene:

1. Workplace Wellness Grant Program is intended to supplement the company funding for instituting a Wellness Program. The Ohio BWC will provide as much as $15,000 to each employer over a 4-year period ($300 per participating employee).

2. Safety Intervention Grant Program partners with Ohio employers to help them achieve their safety goals. Qualified employers may receive a 3 to 1 matching grant, up to $40,000 per eligibility cycle. These grants are used to fund the purchase of safety equipment to reduce to frequency and severity of workplace injuries and illnesses.

Press time for this Bulletin precludes an overview of Ryan Best’s (American Refining Group) pre-Winter season presentation of Driver Safety, Awareness and Fatigue at the October 9th OOGSC Meeting.

Brad Hunt (RiskControl360) will be making the November 13th presentation on “Managing Safety in a Growing Business.”

The OOGSC meets the second Wednesday of each month at the Cambridge Country Club for breakfast and training. The program starts at 7:30am and with announcements, questions and discussions typically is wrapped up by 9:00. Please consider joining us.

Additional information regarding the Ohio Oil & Gas Safety Council may be found online, www.oogsc.org.
Follow the Signs to a Safer Workplace

Your employees should be familiar with the hazards associated with their own work areas. But as they go about the facility, they may come into casual contact with risks they don’t know about.

Outsiders who come into your facility may also be unaware of the hazards they face.

This is why safety signs and tags are so important. Another important reason is to remind workers daily of the hazards in their own work areas so that they don’t become complacent about hazards.

Yet another reason for safety signs and tags is to warn of hazards that are out of the ordinary, unexpected, or not readily apparent.

Selecting the appropriate safety signs and tags and placing them carefully around your facility to attract the most attention are important elements of your safety program.

Key Issues

In order to use safety signs and tags effectively in your facility and remain in compliance with the OSHA regulations (29 CFR 1910.145), you need to:

- **Identify all hazards.** The first step, of course, is to identify all the potential hazards in all parts of your facility. This includes office and industrial areas as well as public areas and locations outside the facility. And, in addition to the more obvious hazards, you must identify those that are out of the ordinary, unexpected, or not readily apparent.

- **Select or design appropriate safety signs and tags.** Once you have identified the hazards, you can select appropriate ready-made safety signs and tags or design your own. Whichever option you choose, make sure all signs and tags conform to the requirements of the OSHA regulations. Your signs and tags should also be consistent in format throughout your facility. The regulations also note that all signs should have “rounded or blunt corners and shall be free from sharp edges, burrs, splinters, or other sharp projections.”

- **Use proper wording.** According to the regulations, “the wording of any sign should be easily read and concise. The sign should contain sufficient information to be easily understood. The wording should make a positive, rather than negative, suggestion and should be accurate in fact.”

- **Position signs carefully.** Signs should be positioned so that they are easily visible and legible from a distance. They must be placed to draw maximum attention to the existing hazards. This means you need to give careful thought to where you locate signs around your facility, and you may need to relocate signs from time to time when you make changes or alterations that affect the visibility or usefulness of existing signs or when the equipment or materials that pose the hazard are moved. In addition, the regulations require that “the ends or heads of bolts or other fastening devices must be located in such a way that they do not constitute a hazard.”

- **Identify safety equipment and fire protection equipment.** Make sure that safety equipment such as eyewash stations and safety showers are clearly identified with appropriate signs. Also be sure that all fire equipment is identified with proper signs.

- **Use tags properly and effectively.** The regulations also say that “tags shall be used as a means to prevent accidental injury or illness to employees who are exposed to hazardous or potentially hazardous conditions, equipment, or operations which are out of the ordinary, unexpected, or not readily apparent. Tags shall be used until such time as the identified hazard is eliminated or the hazardous operation is completed.

- **Review your sign and tag program whenever new hazards are introduced.** Your facility will likely not be in compliance with the regulations if you just put up signs and forget about them. You must review your sign and tag program frequently to make sure it is still performing the task it was designed to do. For example, whenever new hazards are introduced into the workplace, new signs need to be put up right away. And when temporary hazards arise, tags need to be attached to warn employees until the hazard no longer exists.
## Public Presentations / Events Calendar

### October 2013

1. OOGEEP/Disney “Rocking in Ohio” at Coshocton County Fair
2. Ohio Shale Development: Economic Impact Opportunities Forum
3. Summit on Sustainability and the Environment
4. Careers Expo at the Ohio State University
5. OOGEEP OIlfield Emergency Response Training Workshop
6. Wayne County Farm Tour
7. Delaware and Franklin Soil and Water Conservation District Teacher Workshop
8. Cambridge BWC Safety Council
9. Utica Summit 2014
10. Faircrest Memorial Middle School
11. Cincinnati State Technical and Community College
12. Lebanon High School Career Day

### November 2013

1. API Cambridge Oil and Gas Forum
2. JPMorgan Energy Symposium
3. OOGEEP Oilfield Emergency Response Training Workshop
4. Ohio School Board Association Capital Conference and Trade Show 2013
5. DUG East
6. Cleveland Chemical and Allied Industries of Northeast Ohio Association
7. Career Technology Education Center (C-TEC) 2013 Career Fair
8. Stark County Housing Center Oil and Gas Forum
9. Professional Land Surveyors Association
10. Berlin Ellsworth Ruritan Club Oil and Gas Forum
11. Fairless Middle School Career Day

### December 2013

1. Ohio Oil and Gas Association Oilfield Expo
2. County Commissioner Association / County Engineers Association Winter Conference
3. Louisville Middle School Career Day

### January 2014

1. Science Education Council of Ohio Conference and Trade Show
“Rocking in Ohio” with Radio Disney and OOGEEP

DISNEY AND OOGEEP ENTER INTO PARTNERSHIP TO PROMOTE EDUCATION

OOGEEP and Disney entered into a special partnership to educate parents and kids about Ohio’s oil and gas industry! The pilot project was launched in late summer and will continue through late fall 2013. The theme “We are Rocking in Ohio” includes both community and school events in eastern Ohio.

Disney is the #1 rated network for kids, tweens and families. The stage show, created by OOGEEP and Disney, highlights the importance of Ohio’s oil and gas industry, and why science, technology, engineering and math (STEM) are crucial in developing energy resources in Ohio. The Radio Disney Road Crew provides interactive entertainment, games and fun prizes, as well as music from today’s biggest artists and engages the audience in fun, educational activities that highlight oil and gas production in Ohio – from formation to exploration, drilling to production, and processing to refining. The STEM curriculum mirrors the OOGEEP Teacher Workshop program being provided and used by thousands of teachers around the state. Parents are also provided with special Disney/OOGEEP Parent Packets that includes additional information, resources and activities after the event.

As with all of OOGEEP’s Programs, this new program is funded 100% by Ohio’s natural gas and crude oil producers. Thank you for your continued support!
OOGEEP held several teacher workshops over the summer including: June 19-20, June 21, July 31- August 1, and August 8. The goal of OOGEEP’s Science Teacher Workshops are to help foster energy education by connecting science education to the energy industry. During the workshops, each teacher receives resource materials, classroom supplies, lesson plans, posters, DVDs, maps, documentation for CEU CREDITS, optional ASHLAND UNIVERSITY GRADUATE CREDIT, Science Standards, Benchmark Connections, Internet Links and activities, plus a few other surprises. The seven learning stations include hands-on experiments, background information, industry guest speakers, graphic organizer ideas and career connections. The free teacher workshop includes: Curriculum, Classroom Supplies, Materials Kits, “Make-It Take It” Session, special Oilfield Tours, CEU Credit Documentation and Optional Ashland University Graduate Credit, plus much more!!!

“Thank you so much for all of the wonderful resources and information. It will definitely enhance our Project Based Learning Energy Unit.” — Melissa

“As an earth science teacher the workshop’s presentation on content was invaluable. The information was timely because of the impact the industry is having on my community.” — Wendy

“This program helped dispel some of the false info put out there about “fracking” and the oil/gas industry.” — Ken

“The OOGEEP Teacher Workshop was phenomenal. I acquired new skills, insights, and materials that I can share with my colleagues, and ultimately our students. The materials and curriculum from the workshop will definitely enhance project-based learning for our students.” — Vicky
OOGEEP would like to thank Ohio’s natural gas and crude oil producers for their ongoing funding of these teacher workshops and OOGEEP’s other public outreach programs. Thank you!

OOGEEP would also like to acknowledge the following individuals and companies for their help during these workshops and field trips:

- Sarah Tipka, Tipka Oil & Gas, Inc. A.W.
- Greg Mason, The Energy Cooperative
- Scott Talmage, Northwood Energy Corporation
- Casey Fritz, Artex Oil Company
- Jeff Salen, PDC Energy, Inc.
- Scott Craycraft, Ken Miller Supply, Inc.
- Les Dundics, Everflow Eastern Partners, LP
- Greg New, Dorfman Production, Co.
- George Broughton, GWB Oil & Gas, LLC
- Bob Chase, Marietta College
- Drake Well Museum’s Mobile Energy Education “Meet U” Trailer
- Ergon, Inc.
The industry requested that OOGEEP identify schools that have the appropriate training and begin promoting many of these programs to the general public and through OOGEEP’s other educational and public outreach programs. After several years, this project is now completed.

Through OOGEEP’s, “Careers in Ohio Series,” OOGEEP has posted an oil and gas Career Guide that lists the 75 careers in the oil and gas industry. To help direct students and the general public how to attain training for these jobs, OOGEEP has also identified and compiled a listing of programs offered by Ohio educational institutions that provide qualified training programs. To date, OOGEEP has identified programs at more than 70 different Ohio colleges, universities, career centers and technical schools.

To help make the connection between the classroom and workplace, OOGEEP diligently worked with educational institutions around the state to certify that they are providing industry specific training so these students can be hired. By providing this list, OOGEEP also wants to help prevent Ohioans from being misled by programs that call themselves oil and gas training programs but are nothing more than a few safety courses.

Now that this information is on our redesigned website, individuals can search for typical job titles in the oil and gas industry which then offers fact sheets for each job title and the educational institutions that provide qualified training for that job. This list will continue to grow as more training facilities and educational institutions expand or introduce these programs.

OOGEEP hopes the career guide and workforce training information on our website will make it easier for individuals to connect their career goals to their education planning. OOGEEP is also working with K-12 schools in all 88 Ohio counties to help educate them on the industry as well as to provide career connections and scholarship opportunities.

The mission of OOGEEP is to facilitate educational, scholarship, safety and training programs; to promote public awareness about the industry; and to demonstrate to the general public the environmental, energy and economic benefits of Ohio’s independent natural gas and crude oil producers.

OOGEEP is funded exclusively by Ohio’s crude oil and natural gas producers and royalty owners through a voluntary assessment on the production of all crude oil and natural gas produced in Ohio. OOGEEP is not a state agency and no taxpayer dollars are utilized to fund OOGEEP.

The assessment on crude oil is five cents ($0.05) per gross barrel of crude oil (including condensate) and one cent ($0.01) per gross thousand cubic feet of natural gas produced in Ohio. Under Ohio Revised Code 1510, all First Purchasers are required to collect and remit quarterly payments directly to OOGEEP on behalf of Ohio’s natural gas and crude oil producers.

This investment by Ohio producers and royalty owners underscores their continuing commitment to provide and promote safe and environmentally sound operating practices, to improve the efficiency of finding and producing oil and gas reserves, to help consumers better understand the importance of Ohio’s vital oil and gas industry, and to continue to be good corporate stewards by providing a number of community and public outreach programs.

THANK YOU FOR YOUR CONTINUED SUPPORT!
This is a sample of only 5 of the 75 individual career sheets that identify the more than 70 different Ohio colleges, universities, technical schools, and career centers working with OOGEEP on related oil and gas training programs.
40 Students Awarded Oil & Gas Scholarships

The Ohio Oil and Gas Energy Education Program and the Ohio Oil and Gas Energy Education Foundation’s (Foundation) Scholarship Committee recently announced 40 additional students that were awarded scholarships. To date, OOGEEP and the Foundation have awarded 148 scholarships representing students from 58 Ohio cities, 37 counties, and 21 different colleges or universities.

OOGEEP and the Foundation would like to thank our 2013 Scholarship Committee:

- Frank Gonzalez, GonzOil, Inc., Scholarship Committee Chair
- Bob Belden, Jr., The Belden Brick Co.
- John Cramer, Superior Well Services/A Nabers Co.
- Mark DePew, Petrox Inc.
- Todd Dever, Dever Oil, Inc.
- Ron Grosjean, KENOIL, Inc.
- Matt Hammond, Chesapeake Energy Corporation
- David Hill, David R, Hill, Inc.
- Chris Kimble, Red Hill Development
- Mark Lytle, Buckeye Oil Producint Co.
- Marty Miller, Alliance Petroleum Corporation
- Bill Siskovic, Everflow Eastern Partners, LP
- Eric Smith, Maric Drilling Company
- Ralph Talmadge, Northwood Energy Corporation
- Sarah Tipka, Tipka Oil & Gas, Inc.
- Ron Van Horn, Schauer Insurance
- Ron Whitmire, EnerVest Management Partners, LTD.
Scholarships Boost Oil & Gas Career Opportunities at Ohio Schools

The 2013 Scholarship winners are from the following schools: Bowling Green State University, Cedarville University, Cleveland State University, Hobart Institute of Welding Technology, Kent State University, Kent State University at Stark, Malone University, Marietta College, Miami University, Ohio University, Pennsylvania State University, The College of Wooster, The Ohio State University, The University of Akron, The University of Cincinnati, University of Dayton, University of Mount Union, University of Pittsburgh, West Virginia University, Youngstown State University, Zane State College.

“Changes in technology and energy demand drive our need to encourage more students to pursue careers in Ohio’s energy industry. By establishing scholarship opportunities, Ohio’s Oil and Gas Industry wants to reward these outstanding students who will certainly help develop, produce and supply tomorrow’s energy needs,” states Rhonda Reda, Executive Director, OOGEEP and the Foundation.

The members of the Foundation’s Scholarship Committee consists of industry leaders that review every application to ensure the applicants have the desire to get an education that will assist them as they pursue their energy career goal. Other requirements include students to be either an Ohio resident or planning to attend an Ohio college, university or trade school. The students are judged on career goals, an essay, letters of recommendation, academic achievement, awards or special recognitions, community service and other outside activities. The Committee members bring a wide variety of experience and knowledge of the industry to the review and award process.

“This is our sixth year of scholarship awards, and many of these students now have careers in our industry. The Scholarship program, voluntarily funded by Ohio’s oil and gas industry, is important because the knowledge that young students are gaining will enable more energy to be produced at less cost and with a smaller environmental impact,” adds Frank Gonzalez, GonzOil, Inc., and Scholarship Committee Chair.

To make a donation to the Foundation, please visit our website at oogeep.org/about-page/foundation/ or fill out the following form and mail it to P.O. Box 187, Granville, Ohio 43023. THANK YOU FOR YOUR SUPPORT!

Please accept our tax deductible donation of:  □ $100   □ $250   □ $500   □ Other $__________

Name: _______________________________ Company Name: _______________________________

Address: ____________________________________________________________________________

Phone: ___________________________ Email: ________________________________

Payment Options: Check, Money Order, Visa, Master Card and Discover only.

□ My Check is enclosed, payable to: Ohio Oil and Gas Energy Education Foundation

□ Credit Card #: ___________________________ Expiration Date: ____/____

Name on Card: ___________________________ Signature: ____________________________

Billing Address (if different from above): ___________________________________________________________________________________

www.facebook.com/OOGEEP | www.twitter.com/OOGEEP | www.youtube.com/OOGEEP1
OOGEEP Fall Industry Safety Training Series

SAVE THE DATE

November 20-21, 2013
McDonald Marlite Conference Center
New Philadelphia, Ohio

**Wednesday, November 20**
- IADC (International Association of Drilling Contractors)
- Rig Pass Safeland Training

**Thursday, November 21**
- Safe Handling of Condensate
- Haz Comm on New Labeling Requirements
- Winter Operations in the Oil & Gas Industry

For more information, please contact OOGEEP
P.O. Box 187, 1718 Columbus Road SW, Granville, Ohio 43023
Phone: (740) 587-0410 Fax: (740) 587-0408
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In Memoriam

James Dennis Darrow

James Dennis Darrow, age 68, former owner of Summit Petroleum, Inc. of Twinsburg, Ohio passed away September 11, 2013 after a courageous battle with MCS, a very aggressive form of Leukemia.

Jim Darrow was Bill Kinney’s partner in Summit Petroleum from 1984 to 1999. In addition to being Kinney’s partner, Darrow was also his brother-in-law. Following the sale of Summit to Mr. Kinney, the two continued to work together. The bulk of Darrow’s work time was spent leasing Clinton well locations in northeastern Ohio. The prospects were then mostly drilled by Summit Petroleum and jointly owned by Darrow and Kinney. Darrow was also associated with Appalachian Producers Services, where he did gas marketing and end of the month gas balancing.

Jim Darrow’s involvement in the Ohio Oil and Gas Association was mainly as a producer member. However, as Kinney’s partner, he had an ongoing influence in the negotiations and committees on which Kinney was involved. Often preparing documents, editing proposals and acting as a good sounding board, Jim’s “back office” contributions were many and, here to for, unheralded. It was Jim Darrow’s idea for the OOGA to ask the General Assembly to enact legislation for the municipal preemption of all matters related to oil and gas drilling in Ohio; an idea that became a reality ten years later when House Bill 287 was made law.

Jim Darrow is survived by his wife of 32 years, Linda, his son Ian, a Lieutenant in the US Marines, and his daughter Lisa, a horse trainer in Northfield, Ohio.

New OOGA Members (as of 09/30/13)

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Continued on the following page
### New OOGA Members

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**Allied Industry (cont.)**

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wdentj@aol.com

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Indianapolis, IN 46268
317-318-5150
paul.melillo@pacelabs.com

Mark Shambaugh
Service Center Courier
Pace Analytical Services, Inc.
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October 2013
Ohio Oil & Gas Association Bulletin – www.ooga.org
Page 45
Ohio Oil & Gas Association Events

For the latest information on these and other events, including how to register, go to www.ooga.org

November
Regional Producers Meetings: EPCRA Training
November 11th, 15th, and 18th, 2013
Please see ooga.org for times, locations and additional details.

December
2013 Oilfield Expo
December 3-5, 2013
International Exhibition (IX) Center, Cleveland, OH

March
2014 OOGA Winter Meeting
March 5-7, 2014
Hilton Columbus at Easton

Industry Events

Contact Anne Carto at anne@ooga.org or Pete McKenzie at pete@ooga.org to submit an Industry Event to be included as a calendar item.

October
2013 NARO National Convention
October 31 - November 2, 2013
Hyatt Regency Columbus
www.naro-us.org

November
IOGA Fall Meeting
November 1, 2013
www.ioga.com

Mudrocks Symposium and Student Expo
November 2-4, 2013
Appalachian Geological Society & Eastern Section AAPG
Erickson Alumni Center in Morgantown, WV
www.geo.wvu.edu

IOGANY Annual Meeting
November 5-7, 2013
Hyatt Regency Buffalo Hotel, Buffalo, NY

5th Annual DUG EAST Conference & Exhibition
November 13-15, 2013
David L. Lawrence Convention Center Pittsburgh, PA
www.dugeast.com

Career & Technology Education Centers (C-TEC) 2013 Career Fair
November 19, 2013
www.c-tec.edu
The Ohio Oil & Gas Association would like to thank the following companies for their support through advertising in the Bulletin. Classified advertisements for these companies can be found on the pages indicated.

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## Ohio Posted Crude Oil Prices

### Ergon – As of 10/04/13

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### ARG – As of 10/04/13

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**Note:** Oil prices only. Some postings do have transportation adjustments.
Crude Oil Prices
NYMEX v Ohio Wellhead Posted Prices
October 2012 – October 2013

Natural Gas Index Pricing
NYMEX Close & Appalachian Index
September 2012 – September 2013

Settle Price, Crude Oil
Light Sweet
New York Mercantile Exchange (NYMEX)
Friday, October 4, 2013
$ per Bbl

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Settle Price, Natural Gas
New York Mercantile Exchange (NYMEX)
Friday, October 4, 2013
$ per MMBtu’s

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2013 Gas Index Prices

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