EPCRA, How Did We Get Here?

By: Penny Seipel, Vice President of Public Affairs

While there have been several recent developments regarding the Emergency Planning and Community Right to Know Act (EPCRA), I thought I would take the time to provide some historical perspective on the issue.

The federal government passed EPCRA in 1986. This law requires companies to disclose to emergency responders, a list of potentially hazardous chemicals that would be on site if they are responding to a fire or other emergency. Ohio Environmental Protection Agency (Ohio EPA) was later delegated the responsibility of implementing and enforcing EPCRA by the United States Environmental Protection Agency (U.S. EPA) through the State Emergency Response Commission (SERC).

As you recall from the September 2013 Bulletin article, EPCRA Reporting Requirements, there are two types of forms that must be completed. First, an initial filing must be completed the first time that hazardous chemicals are on a site in a reportable quantity, which is 10,000 pounds or about 33 barrels. The second filing would be an annual report where an oil and gas producer would have to report any additional hazardous materials on site if they triggered the reporting threshold at any one time during the previous year.

For a brief time, Ohio's oil and gas producers, with wells in the production phase, filled out paper forms and submitted those to the SERC, the local emergency planning committee (LEPC) and the local fire department. In addition, they submitted annual production reports to the Ohio Department of Natural Resources (ODNR). In many, the information submitted was duplicative since the only materials on site that triggered the EPCRA reporting requirement were crude oil or brine. Up until recently, most oil and gas producers didn't have enough of a single material on site to trigger the reporting mechanism, again except for crude oil or brine.

Oil and gas facilities far outnumber all other reportable facilities in the state, around 8,000 facilities for all other industries combined versus nearly 65,000 active oil and gas facilities. All parties correctly realized that housing boxes of paper in a local fire department was inefficient and unnecessary. In 2001, the OOGA, ODNR and SERC (including first responders) worked together to request a change in Ohio's law to allow a more streamlined reporting mechanism. The effect of that law change was the reporting mechanism that most producers have enjoyed for over a decade; a single annual production report (form 10) filed with ODNR and posted electronically so that first responders would have meaningful access to the information needed to respond to an emergency situation.

Fast forward to March 2013 when “fractivists” are trying to stop oil and gas development in Ohio and across the nation, by any means possible. Teresa Mills, one of the above mentioned “fractivists,” petitioned U.S. EPA Region 5 to deem Ohio’s reporting for oil and gas operations to be in violation of EPCRA. Ultimately, U.S. EPA did NOT say that Ohio law violated EPCRA but they said that Ohio's program was similar to, but not exactly like EPCRA. The SERC board then determined that the best way to ensure that Ohio's producers were meeting EPCRA reporting requirements would be to revert back to the pre-2001 hard copy reporting mechanism. Teresa Mills did not get the big “win” she was looking for. However, she did create a huge paperwork load for oil and gas producers, SERC, LEPC's and local fire departments. Ironically, Teresa Mills was previously with the Buckeye Forest Council, an organization dedicated to the conservation of trees. (I wonder how that organization feels about all of the trees that will be cut down so that Ohio's producers can say that there is crude oil at a well site.)

In the short term, it is recommended that oil and gas producers conduct a chemical inventory for their facilities. If a producer needs to report any chemicals over the threshold, it is recommended that they fill out Chemical Inventory Reports, in addition to submitting their annual production reports. For this year, OOGA was able to get a 30 day extension to December 15, 2013, where SERC will accept 2012 reports.

Continued on page 6
Put your finger on the pulse of the Utica Shale and Ohio oil and gas industry at this must-attend event!

The OOGA Oilfield Expo is the largest event of its kind in Ohio and the region’s largest all-indoor oilfield expo! This exciting event joins together more than 250 exhibitors, industry-specific trainings, and a full conference series – bringing the decision makers, industry professionals, and suppliers together under one roof.

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Most of us are familiar with the story of the first Thanksgiving that took place in 1621 when the Pilgrims paused to give thanks to God for sparing their lives and His provision for their first winter in New England. While the early settlers worked together and shared their bounty, the form of governance was based upon capitalistic ideals: personal responsibility, individual initiative, free trade and private ownership of property.

Thanksgiving’s roots are patriotic, religious, and uniquely American. Presidents Washington and Lincoln understood this. In 1789, President George Washington issued a proclamation designating Thanksgiving as a national day to recognize the role of providence in the creation of the new United States and the new federal constitution. President Abraham Lincoln proclaimed at the height of the Civil War in 1863, “We have been the recipient of the choicest bounties of Heaven; we have been preserved these many years in peace and prosperity; we have grown in numbers, wealth, and power as no other nation has grown”, setting the precedent for the national holiday that we celebrate today.

I sense, along with many Americans, that we have wandered from our nation’s core values and belief system. Our forefathers believed that our freedoms will only be maintained if our political institutions are founded upon a faith in God and that the role of government is limited to protecting and defending our life, our liberty, and our property. Today, the role of government has expanded well beyond those enumerated in the Constitution. Many of our leaders believe that government is fundamentally a redistribution system that can and should compete directly with free enterprise. We have drifted into a role of government that looks more and more like socialism.

As Americans, we face stark contrasts and choices in the direction of our country. This Thanksgiving, as you gather with family and friends in celebration of our many blessings and to give thanks for those serving in our military, I encourage you to do as you have always done—keep fighting. We do not need to make apology or concession for the industry that has powered the greatest nation in the world for over 150 years. There is much work ahead—time is short—with God’s blessing we will succeed.

Happy Thanksgiving,

Joel Rudicil

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Visit us online at www.ooga.org
The Ohio Oil & Gas Association's Hall of Fame was established in 1987 and has evolved as a way for the oil and gas industry to recognize and honor its long-time veterans. The selected honorees come from all segments and levels of the industry, but each has made his or her own distinct contribution. The Ohio oil and gas industry has a unique and proud history, and by honoring individuals from the industry, we recognize and honor our heritage.

The concept of the Hall of Fame originated from the thoughts of then Association President Gene Brasel on ways to honor industry people. Early in 1987, Gene happened to share these thoughts with the Political Action Committee. The Committee enthusiastically endorsed the idea and proceeded to organize the first induction of honorees.

The Selection Committee is accepting nominations until January 15th, 2014. A form for nominating worthy candidates is provided on page 7. Criteria to consider for nominees:

- The individual must have made significant contributions to the Ohio oil and gas industry
- Must be a minimum of 60 years old (exceptions to age can be made in special circumstances)
- Can be awarded posthumously

The Honors Dinner will be held on Wednesday, March 5th, 2014 at the Hilton Easton in Columbus in conjunction with the OOGA Winter Meeting. More information and registration materials will be forthcoming.

The Hall of Fame currently has 125 honorees and the Association inducts new members every four years. Current members of the Hall of Fame and their induction date are:

W. Jonathan Airey, 2006
Leo Altier, 2002
John F. Altier, Sr., 1987
Harry Armstrong, 1987
W.B. “Red” Armstrong, 1987
Howard D. Atha, 2002
Alan A. Baker, 1994
Wesley R. Baker, 1998
Loyd R. Baskin, 2006
J.M. “Shady” Beatty, 1998
Henry S. Belden, III, 1987
Henry S. “Chic” Belden, IV, 2006
Marshall B. Belden, Sr., 1998
Charles H. Bell, 1987
David H. Bell, 1998

Continued on page 6
We at OOGA believe that Ohio has a good reporting system. First responders have come out in support of the electronic reporting system for oil and gas producers because it meets their needs. The information is available online, 24 hours a day, seven days a week and gives them quick access to this information should an incident occur. OOGA is going to fight to preserve the basic structure of this reporting system. Our long term goal is to work with SERC to have a single reporting mechanism where producers with wells in production can file their annual production reports and chemical inventory reports all at one time through a single reporting mechanism.

EPCRA, How Did We Get Here? (cont. from cover)
OHIO OIL AND GAS ASSOCIATION
HALL OF FAME ~ NOMINATION FORM

The Selection Committee is accepting nominations until January 15th, 2014.

Criteria to consider for nominees:
• The individual must have made significant contributions to the Ohio oil and gas industry.
• Must be a minimum of 60 years old (exceptions to age can be made in special circumstances).
• The honor may be bestowed posthumously.

Nominee Name: __________________________________________________________

Company: _________________________________________________________________

Industry and or association involvement: __________________________________________

________________________________________________________

Brief Biographical Sketch explaining why the nominee should be inducted:

________________________________________________________

________________________________________________________

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________________________________________________________

________________________________________________________

________________________________________________________

Nominated by: ____________________________________________________________

Please continue on a separate piece of paper if necessary.

Return to: OOGA HOF Nomination, 88 E. Broad St. Ste. 1400, Columbus, OH 43215
or scan and email to pete@ooga.org
The Polls Are Closed and The Votes Are In

By: Mike Chadsey, Director of Public Relations

Tuesday, November 5th was Election Day and there were three key issues of importance to the industry on the fall ballot.

The voters in the cities of Youngstown, Bowling Green, and Oberlin faced a wide variety of local issues, from school levies to Mayoral races, including a vote on the infamous anti-development, misleading and unenforceable “Charter Bill Of Rights”.

This may sound all too familiar. In May, the good people of Youngstown voted down, by 13 points (56.85% to 43.15%) their “Charter Bill of Rights”. But the anti-development group would not go quietly into the night. So Frack Free Mahoning once again gathered signatures and submitted them to the Mahoning County Board of Elections. The board of elections found 1,621 valid signatures among the 2,450 the group submitted. The number of signatures gathered was down from the 4,000 they collected the first time. You can only cry wolf so many times before you lose credibility.

After the polls closed on election night in Youngstown, the anti-development “Charter Bill of Rights” was once again defeated by a margin of 9 points—5,760 votes (54%) to 4,738 votes (45%). The bi-partisan, fact-based, aggressive campaign waged by the Mahoning Valley Coalition for Job Growth and Investment that included community leaders from the business, labor and education sectors, was again successful in pushing back on the negative fear-mongering of the small Frack Free Mahoning group. One can only hope they finally get the message. The leaders of Frack Free Mahoning have said they will continue to put it back on the ballot again and again until it passes; continuing to waste others’ time. Nice win, again, in Mahoning County.

After all of the votes were counted, the “Charter Bill of Rights” in Bowling Green failed by a margin of 3 to 1 with 3,548 votes (75%) against and 1,191 votes (25%) for. The fight against the misguided effort was led by the local chamber, with the assistance of the local building trades unions. Even the Bowling Green City Council voted 5-2 to not recommend the passage of the “Charter Bill of Rights”. In a region of the state that last saw development back in the Rockefeller days, the people of this farming community saw through the Frack Free Ohio messages and voted down their ill-advised effort. Big win in Wood County!

Tallying up the votes in the small college town of Oberlin tonight brought different results. The “Charter Bill of Rights” passed by a margin of 665 with 1,141 votes (70%) to 476 votes (30%). Considering there is no active chamber, no active labor, and no active industry, it was tough to get the message out about the issue. While OOGA wanted to see all anti-development issues on the ballot defeated this November, it is still important to keep in mind that state law supersedes these ceremonially passed bans. With the passage of this measure, the total number of “local bans” reaches a resounding . . . six; Yellow Springs, Broadview Heights, Mansfield, Brunswick, Munroe Falls and Oberlin.

In Ohio there are 251 cities, 681 villages and 1,309 townships for a total of 2,241 municipalities. With six “wins” under their belt, groups like Don’t Frack Ohio and the Ohio Organizing Collaborative continue to widely miss the mark on building the ground swell of support they seek to achieve to stop Ohio’s oil and gas industry, considering their wins come out to whopping .27%.

Election night 2013 was a great night for the families who call Ohio’s oil and gas industry home. There were some big wins in some tough areas and those victories allow all of us to get back to the business at hand—moving Ohio and the United States closer to energy security while providing good paying jobs and economic investment to the Buckeye State.
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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.

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Member Spotlight

Doug and Frank Gonzalez, GonzOil, Inc.

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.

How did you get involved in the oil and gas industry?

Doug: I graduated from Kent State University with a geology degree in 1980 and did a little work for the State of Ohio’s Division of Oil & Gas processing permits for about a year. It was a busy time in the industry and I wanted to do some real geology. I eventually found a company that was right in my own hometown. New Frontier Exploration, who eventually morphed into Yankee Resources, hired me and I worked for them at a time when they were drilling more than 100 wells per year. A few years later another Canton company, Power Resources, was looking for more of an all-purpose guy. At the time, I was doing geology and chasing rigs but I wasn’t doing much completion and production work. They were looking for someone to do the whole thing and hired me. I worked for them for about three or four years and got a well-rounded experience in the oilfield.

Ultimately, I wanted to start my own company. Most of the time, I was nagging my brother Frank, “Hey, I think we can do this!” I’ve always broken down the industry into one-third geology and land, one-third completion and operations, and one-third money and finance. I didn’t have the final third and I knew Frank did.

Frank: Sounds like I own half the company, but only contributed a third! My background comes from a Fortune 500 company. The Timken Company in Canton was the largest employer in Stark County. I worked in the bearing-side and the steel-side for them, and ended up in strategic planning. There was a methodology that Harvard professor Michael Porter encouraged. It involved an internal assessment of strengths and weaknesses, and an external assessment of threats and opportunities. It was a methodology to look at a competitive situation and how you might best compete in it. I applied it to myself and realized I was not going to make it as far as I wanted to go. Doug had approached me a couple of times about quitting my “good job” . I had six weeks of vacation with that job, and I’ve never flown on a corporate jet again. I think that it was the third time Doug approached me, when I said, “Okay, let’s do it!” Doug and I incorporated GonzOil on March 18, 1988, and coincidentally, my daughter arrived that same day.

We drilled our first wells in 1989. We drilled three vertical Clinton sandstone wells. In those days, you could drill them to about 4,000 feet for $135,000 turnkey. We completed three of them for that. Two of the three wells were good, and one we don’t talk about too much. But, our investors were happy and wanted to know what more we could do. We started drilling wells at the rate of three to six a year for 20 years and peaked at 14 wells a year about four years ago. We grew to be the eighth largest producer of oil in the State of Ohio in 2011 according to ODNR’s McCormac Report. We don’t own any drilling rigs and don’t need to drill a lot of wells. Instead, our focus has been drilling high quality wells.

Where are most of your wells?

Doug: Mostly here in northeastern Ohio. We started off in Stark and Portage Counties. Eventually, we had an opportunity down in Washington County to acquire a good block of acreage that was HBP from an older Berea field. We ended up drilling 35 to 40 Clinton wells in Washington County about fifteen miles west of Marietta in the early 1990’s.

Frank: We (GonzOil) began with zero wells. We were our only landmen. It was just Doug and Frank. So, we started off where we could get home at night—I had this new baby. We focused on Stark County to begin with, but the area was pretty much drilled up by Belden & Blake and some of the larger Clinton producers as they extended the East Canton field. We were forced to look elsewhere and we found a nice acreage block in Washington County, and it treated us well for about 10 years. For a long time we were split between northeastern Ohio and the block in Washington County, which we sold about 6 years ago. Now we’re strictly a northeastern Ohio operator, primarily in Stark, Summit, Portage, and Cuyahoga counties—apparently just a little too far north and west for the Utica Shale at this early stage of development.

Doug Gonzalez (left) and Frank Gonzalez in October 2013.
Doug: We pretty much specialize in urban drilling and HB 278 was a big change for us. It gave us the opportunity to go into some areas where we could still put locations together and drill some good wells. Due to surface congestion, most of our wells are drilled directionally.

What is the biggest challenge you've faced with your company over the years?

Doug: Right now I'd say it is the ability to put together high-quality prospects that are worth drilling. It's really a two-fold problem. Part of it is the big land rush with the Utica. The average landowner thinks they should be getting huge dollars per acre; and we still think $100 for an acre is a lot of money! We're just not in the right place for that. Also, this big push on anti-"fracking" and a lot of the bad images and bad information that have been put out there is hard to overcome. When we are trying to convince people we want to drill, they expect more money and say, "You're not going to frac are you?" We have to explain, yes, we're going to frac. We've been fracing since the inception of our company and the industry has been fracing since the 1950's.

Can you speak on some successes you've had with the company?

Frank: I think number one is when you found a company and it is a family company, you want to end up still good partners with your family and not have that company divide the family. We've been successful with that.

Doug: Frank and I are exactly 50-50 owners of the company, so there is really no way to resolve conflict. But we've been doing this for 20+ years now and we've just never had to go down that road. We see eye-to-eye on most things and when we disagree, we get to rib the other guy later that he was wrong!

As far as successes, we were able, with the urban drilling law changes, to see that there is some potential out there and get out of the starting gate quickly. We put together nice lease blocks and drilled some very high quality oil and gas wells. That has allowed us to continue to grow and is why a small company like GonzOil is a fairly strong oil producer in the state. However, I have a feeling that is going to change with these big Utica wells coming in.

How has your involvement with OOGA helped your business?

Frank: We joined early on, in 1989, which was our first full year. A couple of years later OOGA was looking for a chairman for Region II. You had to be a Producer, and by virtue of Doug drilling and operating our wells, we were a Producer. I had some time on my hands since we were so small. We were operating less than ten wells. I ran and was elected in 1992. We have field expertise in Doug and office expertise in me. OOGA can sometimes bridge those two different parts of the business. It is a good way to keep up with changes in our industry. In Michael Porter's language, involvement in OOGA made us aware of our external environment as we kept our eyes open for the threats and opportunities that are out there. As Doug said, we jumped on urban drilling as soon as we realized what was coming.

Doug: One of the things that OOGA brings to the table that a lot of people in the field do not realize is how many of these small fires they put out before they become big fires. The average pumper or roustabout doesn't realize that, had certain legislation gone through they might not be doing the job they're doing today. I feel the Association is sometimes under-appreciated by the average guy in the oilfield, but the executives see the bigger picture.

Frank: The political side of our Association is very successful and Tom Stewart has done just a fantastic job. Look what our Association has accomplished in less than ten years: HB 278 making ODNR the exclusive regulator of oil and gas in Ohio (2004); SB 165 in 2010 tightening up urban; and SB 315 defining mandatory pooling and horizontal drilling (2012).

Are you involved in any other facets of the oil and gas industry?

Frank: Yes. Doug is Chairman of Governor Kasich's Technical Advisory Council on Oil and Gas. I think it is a compliment to him that he has been appointed to the TAC by both Republican and Democrat governors.

Doug: Frank is actively involved with the Ohio Energy Education Foundation. He is Chairman of the Scholarship Committee.

Continued on the following page
Frank: I enjoy it. Rhonda Reda makes it easy for us. Last year our committee reviewed 40 applications from aspiring seventeen year olds (with a 500 word essay for first timers). One of my favorite lines was: “I’m just tired of living in my parents’ garage”.

Do you have any advice for those trying to break into the business?

Doug: You have to be willing to work hard and put in some hours that are just above and beyond. It is not a 40-hour work week. My phone is on 24 hours a day. My other advice is to do what you said you will do. If you tell someone you will call them back, call them back.

Frank: With our company, we have tried to run with repeat customers rather than one-time customers. We have a tendency to leave money on the table. We realize we might not have gotten everything we could have on a transaction, but we know there will be future transactions. We want our relationship with our suppliers and customers to be very much ongoing and long-term, not focused on making the most money on this one deal - and that seems to have worked for us.

Is there anything else you’d like to share with our readers?

Frank: Well, I’d say we’re concerned about the product price for natural gas going forward. It certainly looks like there is a lot of gas that is going to be generated out of the Marcellus and the Utica and we are concerned that Clinton Sandstone wells are not profitable at $5/Mcf. We need better than that. Like all of the legacy Clinton producers, we are looking for oil and it seems harder to find, and, invariably it is under a city that quickly passes a charter drilling ban as soon as we find it. It has been very frustrating.

You met our Office Manager Diane Stallman when you came in. She has been with us for more than twenty years. Someone once said, “You didn’t build that.” We disagree with that but without our employees, our customers and our suppliers we wouldn’t be here.

Doug: I guess what I look forward to is using all of this new technology that has come in. Frank and I were really one of the first companies to try doing horizontal shale wells back in 2002 (Frank – we leased in Meigs County for $2.00 per acre!). We tried to do it the inexpensive, frugal Ohio way; which turns out to not be the way to do it. We did find gas and someday my grandkids’ grandkids will finally make payback. It was not the best endeavor for us, but I’ve always thought we legacy producers do what it takes to get things to work and I think we’re going to find that there is a way to apply this new technology to our traditional formations and start drilling things differently than we have in the past. We’ll use a “think outside of the box” concept. I think there is a lot of perseverance in our group, and we will persevere.
OOGA Provides Testimony on Role of Natural Gas for Ohio’s Energy Future

By: Brian Hickman, Director of Government Affairs

On October 15, James Halloran, a royalty owner representative of the Ohio Oil and Gas Association’s Board of Trustees, provided testimony on energy markets and their future. The testimony, before the Policy and Legislative Oversight Committee, focused on the role natural gas could play in meeting Ohio’s electrical demands.

Halloran, who has an extensive background in equity research covering energy and utilities, informed the Committee that society expects energy to be explored for a produced based upon seven key factors. He noted that energy is expected to be affordable, abundant, reliable, pure in content, accessible, environmentally friendly, and non-disruptive to lifestyle. He concludes that energy policy must take a balanced approach to these factors, while weighing their priority and importance, to supply electric power.

Halloran went on to explain that these factors have shown themselves in the current debate on power generation. The use of coal continues to come under attack, which continues to point towards a further reliance on natural gas. Recent natural gas discoveries from shale has created the perception that there is a “100 year supply of cheap natural gas”.

Halloran explained that a lot of this activity was based-upon the influx of capital investment into shale exploration. This investment, which was aided by record low interest rates, will need to continue for increased natural gas production from shale formations. This additional investment is necessary because, as Halloran notes, the average net margin for major Utica shale producers was 2.7% between 2010 – 2012.

Since a majority of the acreage buys in the Utica have been in areas where the majority of projected mineral resources may lie, Halloran also warns that private sector investment will be needed as acreage and sites are done in sub-prime of targets.

Competition for access to natural gas supply is another theme presented in testimony. Recent economic forecasts have projected that demand for natural gas in the U.S. economy will rise 29% by 2020. This rise is projected to be around 20 Bcf of natural gas per day. Of the 20 Bcf, only 6 Bcf is attributed to power generation.

Components caught in this increase all entail high capital costs, mainly for transportation and production and consumption of natural gas. As a result, these ventures will have no alternative to the use of natural gas. It is worthy to note that these models take into account the price of natural gas remaining relatively the same.

Finally, Halloran warns that a comprehensive look at the development process throughout the cycle is needed when considering what regulations are needed. This will be needed as the supply and demand for natural gas comes back into balance. He notes that the Utica Shale is just entering its period of greatest production growth. This will lead to a rise in natural gas volumes. However, this supply is not eternal and the supplies decline. The challenge will be to maintain adequate supplies of natural gas, factoring in the increase in demand along with the potential for greater price volatility and “bottlenecks” to its delivery.

To view a complete copy of Mr. Halloran’s testimony, please use the following link: http://ooga.org/newsroom/latest-news/
Ohio Map of Utica Shale Activity

Provided By: MacKenzie Land & Exploration Ltd.
Global Frackdown 2013: Why It Matters That No One Showed Up

By: Steve Everley, Energy In Depth

Originally printed October 21, 2013

This past weekend, anti-fracking activists across the United States – and allegedly around the world – participated in the “Global Frackdown,” a series of events intended to show the growing strength of activists opposed to oil and gas development.

You would be forgiven for not noticing, though.

The rallies – much like a recent one in Washington, DC, that was well-advertised and highly touted by activists – were defined more by a lack of attendance than any symbolic “growth” of opposition.

In Dallas, Texas, the ‘Global Frackdown’ rally took place in front of the Perot Museum of Nature and Science. Only about a dozen people showed up. In Baltimore, Md., activists invited bar-goers at Fells Point on Saturday night to spin a “Wheel of Misfortune” that listed a series of supposed (but widely debunked) environmental impacts from hydraulic fracturing. Only about a dozen people came out, and even the folks who did “spin the wheel” ended up doing so with a yawn.

“[Fracking] is not high on my agenda,” one participant told the Baltimore Sun.

A gaggle of activists also showed up in Albany, N.Y., over the weekend, at an event the Albany Times Union claims drew “about 50 people.” But a picture taken of the event shows an actual number south of 20.

But at least there was some carbon-based life to be found in Albany. At an event scheduled for Saturday near the campus of the University of Southern California, there were literally zero visible participants. EID visited the advertised site during the scheduled time, and even searched the campus of the nearby California Science Center, but could find no evidence of any rally.

Meanwhile, in Michigan, less than 60 people total registered for four separate events across the state. A screening for Gasland Part II shows zero people signed up. Activists in Michigan are currently trying to ban hydraulic fracturing in the state with a petition drive, but the signature count for its most recent attempt was only about 25 percent of the total needed to get the measure on the ballot.

Opponents have also made Colorado a key target in their campaign to halt hydraulic fracturing, pushing several ballot measures that would ban the practice in a variety of municipalities. But even events in that state yielded muted enthusiasm. An event in the city of Golden shows zero registrants, while only two people registered for an event in the largest city of Denver. Activists have called on the city of Greeley to place a moratorium on hydraulic fracturing, but only nine people registered for an event there – two of which registered as “Anonymous.”

In Columbus, Ohio, where promoters reportedly had been expecting hundreds of protestors, a “crowd” that ended up numbering fewer than five lugged what appeared to be a toilet of some sort to a “rally” in front of a hotel. We didn’t stay around long enough to see whether these folks actually put it to good use.

Continued on the following page
A rally scheduled for Chicago was intended to explain why shale development is “not in labor’s best interest.” Zero officials from labor unions were slated to speak, and only six people signed up. Labor unions in Ohio have supported shale development for the good jobs it delivers, and the AFL-CIO in Illinois was a strong backer of a recent regulatory bill (opposed by activists) that provided a “path forward for safe hydraulic fracturing in Illinois.”

In other parts of the world, the rallies were also less than spectacular.

In Brussels, about two dozen people created mock windmills as a protest against hydraulic fracturing and shale gas.

Members of the anti-oil and gas community would no doubt argue, however, that it’s not about the volume of participation at specific events, but rather the sheer number of separate events – held across numerous states and countries around the world.

But according to the Global Frackdown website, it only takes one person to fill out a simple form to establish an event. Groups opposed to hydraulic fracturing frequently claim that their movement is a grassroots uprising, but with paltry attendance at the events, it’s worth questioning whether the “global movement” is all hat and no cattle – something more relevant to reporters than the everyday folks who activists insist are being impacted by hydraulic fracturing. Indeed, at several “Frackdown” events, the number of reporters apparently exceeded the number of actual participants.

In a move that surprised exactly no one, the Kremlin-controlled network Russia Today actually broadcast “live updates” of the rallies, filing fawning reports claiming that the “world unites against fracking.” Hydraulic fracturing has propelled the United States past Russia as the world’s largest oil and gas producer, and Bloomberg recently reported that Russian President Vladimir Putin is increasingly worried about the growth of U.S. natural gas production.

Unfortunately for Mr. Putin, Russia Today’s ridiculous reporting on these events probably won’t do a whole lot to change that trajectory.
Environment America Issues New Report on Hydraulic Fracturing

By: Brian Hickman, Director of Government Affairs

On October 3, Environment America issued a report entitled “Fracking By the Numbers”. According to a press release, the report “calculates the toll of this dirty drilling on our environment”. In the end, the report serves only to further the group’s political goal to ban hydraulic fracturing in the United States by any means necessary.

The report claims that across the country, oil and gas operations are threatening the environment. The “key indicators” of this threat include:

- 280 billion gallons of toxic wastewater generated in 2012
- 450,000 tons of air pollution produced in one year
- 250 billion gallons of fresh water used (since 2005)
- 360,000 acres of land degraded (since 2005)
- 100 million metric tons of “global warming pollution” (since 2005)

However, a closer look at this study shows some serious flaws in the assumptions above. In an explanation of the study’s methodology, you see where these numbers are fatally flawed.

Secondly, when collecting the data, the group used different methods for collection. In some states, the group collected “all wells using unconventional drilling practices” in the data set. In other data sets (like Ohio), the group claims that they utilized “only those wells using high-volume hydraulic fracturing involving more than 100,000 gallons of water and/or horizontal drilling”.

This leads to the third and final flaw with the report as it pertains to Ohio. The report is purporting to show the “cumulative effects” of hydraulic fracturing (or the drilling process as a whole). In Ohio, numbers from the Ohio Department of Natural Resources website were used on Marcellus and Utica Shale activity. When looking at the methodology and the number of wells reported, it appears that the group used all wells (wells being drilled, drilled wells, and wells currently in production) instead of all producing wells. Simply put, a well that is being drilled would not have fresh water impacts since the well has not yet been hydraulically fractured.

The data included in this report is for the sole goal of furthering Environment America’s goal to ban hydraulic fracturing in the United States. But don’t take my word for it. Read this excerpt from the report itself (emphasis added from the report itself):

“In states where fracking is already underway, an immediate moratorium is in order. In all other states, banning fracking is the prudent and necessary course to protect the environment and public health.”

The Ohio chapter of the organization also used this as an opportunity to push for further “local controls” over drilling activities. Here is an excerpt from the Environment Ohio press release on the topic:

“The report’s data on wastewater pollution comes as communities across the Ohio shale plays – from Youngstown to Athens – debate Community Bill of Rights amendments that would ban drilling operations in their neighborhoods.”

Christian Adams, a State Associate from Environment Ohio, summarizes the crux of the report by his comments. “The bottom line is this: the numbers on fracking add up to an environmental nightmare,” he noted. “For public health and our environment, we need to put a stop to fracking.”
Dr. Cowden Continues to Tout Make Believe Health Impacts Across Ohio

By: Shawn Bennett, Energy In Depth

I recently had the unfortunate opportunity to listen to Dr. Deb Cowden, a physician in Knox County, spew her fear mongering regarding air quality near oil and gas sites. This is not the first time I have had the pleasure of seeing her bash an industry she knows nothing about, but it prompted me to want to share why she is full of baloney so others can correct her when she comes to a town near you. It is only a matter of time.

Dr. Cowden continues to tell audiences that living near oil and gas wells will create significant negative health impacts. At her most recent presentation, she even recommended parents make their children wear respirators if they are playing outside with an oil and gas well in the vicinity. Yes, you read that correctly. She wants to make children wear respirators if they play outside.

Her madness stems from a Colorado study that was published in 2012 by the Colorado School of Public Health. This study, to her, is the gospel and is the only reference she uses during her presentations. Unfortunately for the audience, they assume the good doctor knows what she is talking about—which makes her even more troublesome.

Let’s take a quick look at some of the inputs this Colorado study uses in which they determine living near oil and gas wells could cause serious impacts to your health.

Bad Input #1: Out of Date Emissions Data

CSPH: “We used air toxics data collected in Garfield County from January 2008 to November 2010 as part of a special study of short-term exposure as well as on-going ambient air monitoring program data to estimate subchronic and chronic exposures and health risks.” (p. 8)

• FACT: Colorado updated its regulatory requirements for oil and gas systems in February 2009, which means at least a portion of the data collected by CSPH is from an operating environment that, by law, no longer exists. Among the rules were requirements for volatile organic compounds (VOCs) to be reduced by as much as 95 percent through the use of low- or no-bleed pneumatic devices.

Bad Input #2: Inflated Time to Drill and Complete a Well by as Much as 900%

CSPH: “We assumed a 30-year project duration based on an estimated 5-year well development period for all well pads, followed by 20 to 30 years of production.” (p. 11)

CSPH: “To evaluate subchronic non-cancer HIs from well completion emissions, we estimated that a resident lives ≤ 1/2 mile from two well pads resulting a 20- month exposure duration based on 2 weeks per well for completion and 20 wells per pad, assuming some overlap between activities.” (p. 12)

• FACT: The well development process takes a matter of months, not years. In fact, well development, as defined by CSPH in the same study, “involves pad preparation, well drilling, and well completion” (p. 5) We all know at the most Utica Shale wells with multiple laterals only takes a matter of months to develop and certainly not 5 years. Could you imagine the rig cost? In terms of traditional wells, development takes place in a matter of weeks.
Bad Input #3: Inflated Small Cancer Risks Due to Lack of Context

CSPH: “The cumulative cancer risks based on the 95% UCL of the mean concentration were 6 in a million for residents > ½ mile from wells and 10 in a million for residents < ½ mile from wells.” (p. 15-16)

- FACT: While these numbers are small, the lack of context suggests they could be significant. But according to EPA’s National-Scale Air Toxics Assessment (NATA), these risks are in line with or even well below the risk for the entire U.S. population. According to a recent EPA report: “NATA estimates that all 285 million people in the U.S. have an increased cancer risk of greater than 10 in one million. The average, national, cancer risk for 2005 is 50 in a million. This means that, on average, approximately 1 in every 20,000 people have an increased likelihood of contracting cancer as a result of breathing air toxics from outdoor sources if they were exposed to 2005 emission levels over the course of their lifetime.”

Bad Input #4: Failed to Account/Control for Other Variables

CSPH: “The GCPH collected ambient air samples every six days between January 2008 and November 2010 (163 samples) from a fixed monitoring station located in the midst of rural home sites and ranches and NGD, during both the well development and production. The site is located on top of a small hill and 4 miles upwind of other potential emission sources, such as a major highway (Interstate-70) and the town of Silt, CO…” (p. 9)

CSPH: “The GCPH collected 16 ambient air samples at each cardinal direction along 4 well pad perimeters (130 to 500 feet from the well pad center) in rural Garfield County during well completion activities… All five well pads are located in areas with active gas production, approximately one mile from Interstate-70.” (p. 9-10)

- FACT: When studying concentrations and identifying sources of benzene, it’s probably not a great idea to take samples from areas closer to a major highway than the ambient, control samples. The EPA classifies benzene as one of many Mobile Source Air Toxics (MSATs), and in its Final Rule to Reduce Mobile Source Air Toxics, the EPA notes that “most of the nation’s benzene emissions come from mobile sources. People who live or work near major roads, or spend a large amount of time in vehicles, are likely to have higher exposures and higher risks. People living in homes with attached garages are also likely to be exposed to benzene levels that are higher than average.”

As you can see this study is far from infallible and certainly contains serious miscalculations. Dr. Cowden considers the study her bible, she even uses samples from the it to show folks that when developing an oil and gas well, there are chemicals like benzene, toluene and xylene in the air 100% of the time. Of course, most know these are the components of diesel fuel used temporarily to run the rig and machinery onsite, but to those uneducated on the subject, it seems almost frightening and permanent.

Context is important when discussing anything. Regrettably, we have anti oil and gas groups crusading across the state using terms and data that, without context, can invoke fear. The next time you see these folks in your town, it is your duty to keep them honest. Without any folks to call them on their erroneous claims, they will get a free pass to confuse and quite simply lie to an ununiformed audience to push their misguided agenda.

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Deadline for OSHA Hazard Communication Standard Training

OSHA revised its Hazard Communication Standard (HCS) to align with the United Nations’ Globally Harmonized System of Classification and Labeling of Chemicals (GHS) and published it in the Federal Register in March 2012 (77 FR 17574). Two significant changes contained in the revised standard require the use of new labeling elements and a standardized format for Safety Data Sheets (SDSs), formerly known as, Material Safety Data Sheets (MSDSs). The new label elements and SDS requirements will improve worker understanding of the hazards associated with the chemicals in their workplace. To help companies comply with the revised standard, OSHA is phasing in the specific requirements over several years (December 1, 2013 to June 1, 2016).

The first compliance date of the revised HCS is December 1, 2013. By that time employers must have trained their workers on the new label elements and the SDS format. This training is needed early in the transition process since workers are already beginning to see the new labels and SDSs on the chemicals in their workplace. To ensure employees have the information they need to better protect themselves from chemical hazards in the workplace during the transition period, it is critical that employees understand the new label and SDS formats.

The list below contains the minimum required topics for the training that must be completed by December 1, 2013.

▶ Training on label elements must include information on:

✓ **Product identifier:** how the hazardous chemical is identified. This can be (but is not limited to) the chemical name, code number or batch number. The manufacturer, importer or distributor can decide the appropriate product identifier. The same product identifier must be both on the label and in Section 1 of the SDS (Identification).

✓ **Signal word:** used to indicate the relative level of severity of hazard and alert the reader to a potential hazard on the label. There are only two signal words, “Danger” and “Warning.” Within a specific hazard class, “Danger” is used for the more severe hazards and “Warning” is used for the less severe hazards. There will only be one signal word on the label no matter how many hazards a chemical may have.

✓ **Pictogram:** OSHA’s required pictograms must be in the shape of a square set at a point and include a black hazard symbol on a white background with a red frame sufficiently wide enough to be clearly visible. A square red frame set at a point without a hazard symbol is not a pictogram and is not permitted on the label. OSHA has designated eight pictograms under this standard for application to a hazard category.

✓ **Hazard statement(s):** describe the nature of the hazard(s) of a chemical, including, where appropriate, the degree of hazard. For example: “Causes damage to kidneys through prolonged or repeated exposure when absorbed through the skin.” All of the applicable hazard statements must appear on the label. Hazard statements may be combined where appropriate to reduce redundancies and improve readability.

✓ **Precautionary statement(s):** means a phrase that describes recommended measures that should be taken to minimize or prevent adverse effects resulting from exposure to a hazardous chemical or improper storage or handling.

✓ **Name, address and phone number of the chemical manufacturer, distributor, or importer**

▶ Training on the format of the SDS must include information on:

• Standardized 16-section format, including the type of information found in the various sections. For example, the employee should be instructed that with the new format, Section 8 (Exposure Controls/Personal Protection) will always contain information about exposure limits, engineering controls and ways to protect yourself, including personal protective equipment.

• How the information on the label is related to the SDS.

OSHA’s Hazard Communication website (http://www.osha.gov/dsg/hazcom/index.html) to assist employers with the required training.
In Memoriam

Harold “Red” Davis

Harold “Red” Davis, 86, of Chagrin Falls, passed away peacefully on September 29, 2013.

Davis was a member of the Ohio Oil and Gas Association since 1980. He was formerly with Twin Oaks Oil & Gas before forming the Regal Oil & Gas Company.

Davis was born in Utica, Ohio where he was very active in the Church of Christ. According to his sister-in-law, Garnet Davis, he grew up playing all sports, eventually playing basketball one year for The Ohio State University. Davis was well liked by all. In the 50 years he was in business with his brother, Richard (Dick), and sister, Pauleen, the siblings never once had an argument. He is survived by his wife, and many children and grandchildren.

CONSOL Energy: An Announcement from the Chairman & Chief Executive Officer

10/28/13

This morning, CONSOL Energy announced the sale of our five longwall coal mines in northern West Virginia. This transaction also involved related operational and support assets including CONSOL Energy’s River Division. The attached press release provides full details of the deal. Below is a message from our Chairman and Chief Executive Officer regarding this announcement and CONSOL Energy’s plans moving forward.

Today’s announcement is an important step in the evolution of CONSOL Energy. One of the cornerstones of our legacy has been the ability to adapt, innovate and re-invent over many decades. The capacity to navigate through changing and, at times, challenging external conditions has led CONSOL Energy to 150 years of successful operation. The strategy we are deploying today is driven by those very concepts that have sustained our company through the years.

CONSOL Energy is now positioned as a growth company within a dynamic and expanding energy sector, enabling us to focus on developing opportunities in both coal and natural gas.

While this transaction certainly furthers our strategic objectives, the sale of these five coal mines – assets that have long contributed to America’s economic strength, the region and our company’s legacy – was a very difficult decision for our team. Decisions like this are never easy.

The employees at these mines are among the safest and productive miners anywhere in the world. The mines we are selling are highly productive, well-capitalized, well-contracted and contain long-lived high BTU reserves, but they are fully matured assets that are better suited for a seasoned coal operator looking to strengthen their reserve position in the domestic coal market. While these mines will continue to operate, produce and service the existing coal fleet for years to come, myriad external factors have converged to dictate a no-growth domestic environment for coal, rendering them no longer within the scope of our current strategic direction.

So today, we begin a new chapter in our long history – well-positioned to deploy the growth strategy that has been laid out, and primed to capitalize on budding opportunities both at home and abroad.

As part of our realignment, we continue to hold some of the richest coal reserves in the country, associated with flagship mines, whose products are fueling growth and progress across the globe. We also control vast acreage in the most important gas fields in the United States. Many have described Shale as the ‘rock that changed the world’ and CONSOL Energy is a major player in this space. This transaction will allow us to rapidly grow a natural gas position poised to compete in a dynamic energy future.

These coal and natural gas assets uniquely place us among our peers to grow, compete and thrive in today’s global economy. And so today, we turn the page – always grounded by our storied legacy while pivoting toward a bright future, ripe with opportunities to begin a new legacy for our company – one that will sustain CONSOL Energy for another 150 years.
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<td>Zeeco, Inc.</td>
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New OOGA Members (as of 10/29/13)

Allied Industry

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Lord and Winter, LLC  
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Nashville, TN 37221  
850-502-6434  
david.winter@lordandwinter.com

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Contact: Matt Vavro - mattvavro@vavcollc.com or 724-285-6684

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Rick Caldwell
Director of Business Development
Kanawha Stone Company
www.kanawhastone.com

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David Palmerton
President
Palmerton Group, A Division of GZA GeoEnvironmental, Inc.
www.palmertongroup.com or www.gza.com

The Palmerton Group LLC, is a high quality oil field services consulting firm. The Palmerton Staff possesses expertise in environmental engineering, groundwater studies and drilling and completions services (operator representative). We also provide environmental litigation support, and environmental assessments for real estate and property management. The Palmerton staff provides services for unconventional and conventional exploration, M&A environmental due diligence, facilities compliance/decommissioning, air services and permitting, remediation and site closure, pipeline permitting, natural resources assessment, water resources/groundwater, well plugging and site restoration. The Palmerton Group takes pride in managing oil fields as well as solving environmental, engineering, geotechnical and land solution that operators typically outsource.

Heather L. Paisley
Administration
Nyack Metals
Nyackmetals.net

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Ryan W. Reaves
Attorney At Law
Krugliak, Wilkins, Griffiths, & Dougherty Co., L.P.A.
www.kwgd.com

Ryan is an attorney with Krugliak, Wilkins, Griffiths, & Dougherty Co., L.P.A. and is a member of the Oil, Gas and Mineral Law Practice Section. Ryan’s practice focuses on transactional matters and oil and gas related litigation.
The OOGA Oilfield Expo is the largest event of its kind in the eastern United States. The I-X Center is an impressive facility, uniquely capable of housing the wide array of equipment and services deployed in the oilfield. Exhibit space has been expanded and refined, a Safety Congress component has been added, industry-specific training is being offered, completed with the Fall Technical Conference and Oilfield Symposium – bringing the decision makers, industry professionals, and suppliers together at one very impressive venue.

Ohio Oil & Gas Association Events

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

December

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

2013 OOGA Holiday Reception
December 19, 2013
Cherry Valley Lodge, Newark, 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.

March

2014 Ohio Safety Conference
Ohio Bureau of Workers Compensation
March 25-27, 2014
Greater Columbus Convention Center
www.bwc.ohio.gov

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www.summitrevenue.com
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# Ohio Posted Crude Oil Prices

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

Settle Price, Crude Oil
Light Sweet
New York Mercantile Exchange (NYMEX)
Tuesday November 5, 2013
$ per Bbl

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

Settle Price, Natural Gas
New York Mercantile Exchange (NYMEX)
Tuesday November 5, 2013
$ per MMBtu's

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2013 Gas Index Prices

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