OOGA Submits Comments to State RUMA Study

By: Brian Hickman, Director of Government Affairs

On August 28, 2013, the Ohio Oil and Gas Association submitted comments to a state study committee on the effectiveness of road use and maintenance agreements (RUMAs). The study, conducted jointly by the Ohio Department of Natural Resources (ODNR) and the Ohio Department of Transportation (ODOT), was part of uncodified language contained in Senate Bill 315 (129th General Assembly), which was passed and enacted in 2012.

As you may recall during the Senate Bill 315 debate, RUMAs became a hot topic before the legislature. In an effort to obtain more data and information on the perceived issues surrounding RUMAs, the legislature included the study committee language before the bill’s final passage. The language allowed the ODNR and ODOT eighteen months from the bill’s effective date to issue a report on RUMAs. The study would gather data from local interests (specifically county commissioners, county engineers, township trustees, and municipal corporations) and the oil and gas industry. Once completed, the report would be issued to members of the state legislature and the Governor.

Once contacted by the ODNR for this study, OOGA went to work by soliciting input from member companies on their experiences with RUMAs. OOGA contacted those operating horizontal wells in the Utica Shale play, along with traditional vertical well operators, to get a full spectrum of views on the industry’s experience with RUMAs. OOGA’s submitted comments summarized that input.

OOGA’s comment began by explaining that RUMAs historically have gone by on axiom: “If we break it, we fix it.” Generally speaking, Ohio producers have been willing to cooperate with local officials to repair roads and bridges that are impacted by oil and gas activities (not all activities that may come in contact with these roads).

With the expansion of the Utica Shale play, this has changed slightly to include identifying roads and bridges that may be potentially impacted by the drilling and completion process. In this case, shale operators have been willing to upgrade certain access roads leading to the well site due to the intense nature of shale development. This fact is important to note, as several local entities have stated that absent shale development these upgrades would not have been affordable.

The OOGA comments went on to explain recent legislative activity as it pertains to RUMAs. In 2004, the state legislature passed and enacted Substitute House Bill 278, which provided the ODNR with the “sole and exclusive” regulatory authority of all aspects of the Ohio oil and gas exploration and production industry.

Substitute Senate Bill 165, which was passed and enacted in 2010, clarified this authority, stating that local authorities still have general authority to manage their road systems. Sub. SB 165 went further to clarify that local authorities must not exercise this power “in a manner that discriminates against, unfairly impedes, or obstructs oil and gas activities and operations”.

It is this point that the remaining OOGA comments are focused on. The comments described several instances where operators have felt that strenuous and costly stipulations continue to be added to RUMAs. These additions not only discriminate against the industry, but serve as an impediment to oil and gas exploration and production.

Comments also focus on the creation of “model RUMAs” being forced upon conventional operations. A “model RUMA” template had previously been discussed by ODOT, the oil and gas industry, and local entities. This model was created in an effort to assist all parties dealing with RUMA agreements with horizontal Utica Shale operations.

However, reports continue to flow from the field that conventional operators are being asked to comply with this “model RUMA”. OOGA went on to explain that conventional operations do not have the same impact upon roads or bridges as horizontal shale operations. OOGA also noted that Ohio Revised Code Section 1509.11 (b) makes it clear that horizontal wells (as defined by Ohio law) should provide the ODNR with either an executed RUMA (entered into on reasonable terms) or an affidavit stating that, after good faith efforts, no RUMA could be executed. Again, this applies only to horizontal operations and not conventional oil and gas producers.

Continued on page 6
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The big news in Ohio is House Bill 375—an industry supported oil and gas tax reform package recently introduced in the Ohio Legislature. The package includes a sensible severance tax rate for horizontal and conventional producers, enhances the state regulatory framework, funds the Ohio Geological Survey, provides for a robust idle and orphaned well plugging program, and supports a statewide personal income tax reduction. The bill has received broad support from industry, government, legislators and Governor Kasich.

We had successfully opposed three severance tax increase proposals initiated by the Administration. Legislative leaders had stood firm with us in our belief that the previous proposals were premature and punitive. The end of the stalemate began to emerge last summer when industry and House leadership began talks to define what a rational tax plan might look like. We agreed that the plan must be good for all producers and one that would provide clarity for future investment. The tax proposal lowers the taxes for conventional oil and gas producers, could generate $1.7 billion in additional tax revenue over 10 years, and eliminates the threat of additional tax burdens on thousands of Ohio royalty and landowners. We support the oil and gas tax bill because it is based on sound regulatory, environmental and economic policymaking.

While Ohio shale development garners national attention, the conventional producer continues to struggle. The drilling rig count continues to be abysmal with little relief seen on the horizon. Shale development has oversupplied the market driving down the price of natural gas and the economic benefit of locally produced gas. The completion of pipeline and processing infrastructure to move production to interstate markets should provide some relief in the long run. Several years ago, your Association and Dominion East Ohio negotiated a Heat Content Agreement (HCA) that recognized the value of high BTU conventional gas. Proceeds were used to finance projects to help producers sell gas year around. In recent months your Association and Dominion began to explore options that could improve market conditions for conventional producers. The result is a revised agreement that is designed to provide producers with greater access to processing, more options to move gas on and off the system, and potentially greater access to storage at reduced rates.

Your Association enters the New Year well financed, professionally staffed, and positioned in our downtown Columbus offices for rapid response. The foremost challenge facing the Ohio Oil & Gas Association is to continue to speak with a unified voice on the issues that matter. The decision to restructure our Board and Executive Committee to include broader shale industry representation was a good one.

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Contact Your Association:

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Company Vindicated In False Water Contamination Claim

By: Shawn Bennett, Energy In Depth

Earlier this year, a Portage County family made news when they claimed that Utica Shale development taking place 1,800 feet away from their home was responsible for a flaming faucet in their bathroom. The family made calls to their local NBC affiliate in Cleveland and even had the Today Show come interview them regarding the incident, all the while placing blame on the company operating nearby.

There is one big problem with this story. The family has always had naturally occurring methane in their water due to their water well being drilled into a shallow bedrock aquifer. This much was evident in their pre-drill water testing, which Mountaineer Keystone voluntarily supplied the family and was confirmed by Ohio Department of Natural Resources (ODNR).

Not wanting to let the facts get in the way of a good story, the reporter neglects to mention this, despite having the information and verification of ODNR’s statements in-hand before the story aired.

Unfortunately, news of flaming faucets also makes for a good news story. Remember the infamous flaming faucet scene in Gasland that was also debunked?

Ten months later, Mountaineer Keystone was vindicated thanks to a recently released groundwater investigation report performed by ODNR. In their findings, ODNR found the company was in no way, shape or form responsible for the methane in the Kline’s water well.

“The Division of Oil & Gas Resources Management has concluded the methane in the Kline water well is naturally occurring and not the result of oilfield activities by Mountaineer Keystone, LLC. Sampling of seventeen area water wells in February 2013 did not show any indications that oilfield contaminants had been introduced into the groundwater through the drilling of the Soinski wells”—Kline Groundwater Investigation Report, Ohio Department of Natural Resources, The Division of Oil & Gas Resources Management, Executive Summary, p. iii

Throughout their investigation, ODNR interviewed water well professionals and area residents, reviewed water well records and pre-drill water tests as well as professionally published papers, to conclude that methane was present in the bedrock aquifers in Nelson and Windham Townships prior to shale development.

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Company Vindicated In False Water Contamination Claim (cont. from page 5)

Researching water wells drilled from 1973-2000, ODNR investigators found the water quality of wells along Silica Sand Road have a long history of issues.

“Water well driller notation on ODNR-Division of Soil and Water Resources logs for wells drill along Silica Sand Road between 1973 and 2000 describe the water quality as ‘oily’, ‘gassy’ and/or ‘cloudy’. Completion cards for oil and gas well drilled during the 1970’s often note that water encountered while drilling through the Berea Sandstone in Nelson Township is brackish.”—Kline Groundwater Investigation Report, Ohio Department of Natural Resources, The Division of Oil & Gas Resources Management, p. 8

Even the Kline’s neighbor, Ms. Esta Everhart, confirmed that methane was always prevalent in the area. She remembers a neighbor’s water well was drilled in the 1950’s that contained both natural gas and oil, she told ODNR investigators.

While there is a long detailed history of poor water quality in the area, water samples also collected from the Kline water well show the chemical make up of the methane to be of biogenic origin, making it impossible to be caused by oil and gas development. Biogenic methane is created by the transformation of organic matter by tiny microorganisms and has nothing to do with oil and gas development.

In order to fully investigate the issue, ODNR asked the operator to voluntarily test the water wells of 17 other residents to ensure none of the neighboring residents were impacted by the company’s activities. Throughout the testing of the 17 other residents, it was determined oil and gas activities were not responsible for any contamination surrounding the well.

“Sampling of seventeen area water wells in February 2013 did not show any indications that oilfield contaminants had been introduced into the groundwater through the drilling of the Soinski wells.”—Kline Groundwater Investigation Report, Ohio Department of Natural Resources, The Division of Oil & Gas Resources Management, p. 19-20

Though the findings of this report clearly indicate the presence of methane in the Kline family well is not in any way a result of oil and gas development taking place in the region, it is unfortunate the story was presented both prematurely and inaccurately.

When the news broke we hoped the Today Show would air the correction to this piece with the same vigor in which they presented their original implications. Calls were made, but not returned. I guess sometimes the truth is just not as interesting as false claims made by those trying to make a quick buck or are opposed to oil and gas development.

OOGA Submits Comments to State RUMA Study (cont. from cover)

The OOGA offered five recommendations to the study group. First, that RUMAs must continue to be a private agreement between the oil and gas exploration and production company and an authorized local authority. Secondly, these RUMAs must be “fair and balanced” without onerous stipulations for all parties. Third, that RUMAs must not be applied to conventional operations in an effort to avoid undue discrimination. Fourth, that RUMAs only apply to activities related to the drilling and completion process (nothing further). Finally, that a form RUMA be created to better address the industry’s concerns which will be applied consistently and predictably across the state.

The RUMA report is slated to be finalized and distributed to the Ohio General Assembly and Governor Kasich early next year. It is expected that the final report will further the discussion on whether additional actions need to be taken by the state regarding RUMAs. If and when these discussions crop up, the OOGA will continue to be a voice of the industry and focus on the aforementioned recommendations.

Presidential Paper (cont. from page 3)

Many of our new members joined us in support of our Challenge Fund media campaign and provided leadership on the Midstream and Utica Technical Committees. By working together, we successfully reached out to our regulators resulting in consensus on wide ranging environmental and regulatory issues. Thanks to all who served on a Committee or Work Group—you helped to make a difference.

On a personal note, I have decided to not seek reelection to a second term as President. I have truly enjoyed my opportunity to serve our great industry these past nine years as a Trustee, Executive Committee member, and Officer. Thanks to all who have befriended, challenged, inspired, counseled and mentored.

Regards,

Joel Rudicil
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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.

New benefits include:

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For any questions please contact – Kathleen Cooke or Michael Berube

Kcooke@dawsoncompanies.com  Mberube@bostbenefits.com

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**Member Spotlight**

**Fred Badertscher, Buckeye Water Services Company**

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 started in the oil and gas industry?**

I started working in the oilfield as a member of a casing gang in 1944 when I was a junior in high school. I worked on a farm with my dad who was also in the trucking business. I got a job filling in on the casing gang on what they call a “tailwagon”. I didn't have much experience, but I wasn't afraid to get dirty or work hard, so it worked out. After graduating from high school in 1946 I enlisted with the Army Corp. of Engineers for two years. In 1948 I returned to oil field work and driving a truck. I got a job on the casing gang again working on what were called “standard rigs”. I worked on standard rigs and “spudders” before getting a job dressing tools, which I really liked. After a few years, I ended up getting a drilling job and I thought I was really moving up the ladder. To be honest, I think being tool dresser was the best job I ever had, I just didn't know it at the time. With drilling, you inherit some responsibility and a couple dollars a day more, not a lot. The extra money wasn't worth it, but since it was my dad's drilling rig, I stuck with it for a few years. We worked for Columbia Gas in their gas storage fields, which was seasonal, so I went south to New Orleans for the winter. I got a job on an offshore rig. That was quite a jump for a guy coming from a cable tool rig to an offshore rig. I liked it but I didn't stay long—only until hurricane season came. I didn't think I could swim twelve to fifteen miles, so I came home and I've been in the area ever since.

In about 1958 or 1959, I purchased my dad's drilling business, Killbuck Drilling Contractors. We had some spudders and continued to work for Columbia Gas and did contract drilling with four rigs. We traveled all over Ohio and into Michigan drilling wells. We added a trucking company called Oilfield Trucking and Rigging, which built locations, moved rigs, and built and maintained lease roads. We did anything that had to do with the oilfield and worked for a lot of good independent small companies. With the exception of Columbia Gas most contracts were verbal and confirmed with a handshake. Everyone just kind of sat down and made a deal and we went to work—and got paid! Sometimes we did well and sometimes we didn't, because we got paid by the foot, not by the day. If you keep your drilling time to a minimum by making as much hole as you could in a short period of time, you made pretty good money. If you had down-hole issues that slowed you down, the profit margin was slowed too. Everything became relative. It was a good learning experience; I worked for a lot of good people who are no longer around.

The oil industry has a history of behaving like a yo-yo. If you put it on a chart it just moves up and down. I've always stuck with it, because I liked it. Sure, there could have been something I found more profitable, but it wouldn't have been anymore fun. I still work at it today because it has been a good thing. I retired once (in 1993) for about a month—it just didn't work. So I came back and I've been here ever since.

The technological advancements in drilling and recovering the gas and oil since 2000 have been remarkable. Every time I go out, I’m totally amazed by the tools and methods they use and the equipment they have available to them onsite. It is an excellent opportunity for the country, states and the local communities they work in, because of the revenue it generates—tax dollars, payroll, and income. I think local economies really benefit the most from all of this. There has been some resistance from certain groups, but the industry itself will survive.

**Tell me about Buckeye Water Services Company. What did the company originally do and what does it do now?**

It was a company that two locals started and decided they wanted to get out of. We were already in the trucking business, along with the cable tool rig business. I bought it when it had two water trucks a little over 30 years ago and we've expanded quite a bit since then. We've dropped out of the dirt work meaning we stopped building locations, other than for conventional drilling (vertical drilling). We still build locations and lease roads and help move rigs and whatever vertical drilling operations may need, but nothing with the horizontal drillers. We don't have the right type of equipment for the work and realize it. Our water trucks, can work for about anybody, whether it be horizontal or vertical operations.

We haul fresh water for frac jobs, drilling water, produced water, flowback—we haul any water with the exception of potable water. About two and half years ago, we started a roll-off business to haul drill cuttings. Drill cuttings are disposed at approved landfills after they’re solidified and treated. Most of the moisture is gone and they use it for cover. We haul drill cuttings from several rigs. Roll-off has been big for us. It is a 24 hours, 7 days a week operation—just like the rigs. They don't shut down, so we don't shut down.

Buckeye Water Services Company has a philosophy: we don't take on a job or commit to a job that we can't fulfill. Whether it is a holiday, weekend, or middle of the night, it is
important. We have 24-hour dispatchers and the place never closes. Some of our mechanics are here until after midnight, usually until 2 or 3 o'clock in the morning. Equipment is moving all the time and we have to maintain it around the clock.

**How did your company change with growing Utica Shale development?**

In the last 2 years we've increased our staff and personnel by 65-70%. That includes truck drivers, mechanics, office staff, and management. Thank God I've got some good people helping me. Everyone has their own thing they do here and they do it very well, 24 hours a day. Not everybody wants to work like that or is willing to commit to that. They are outstanding people and they do a great job. They keep our status and reputation where it belongs. No one person can do it all. Back years ago, that may not have been so. But with shale development, it takes a lot of people to make things happen and I've been able to find people that do an excellent job.

**You've been in business for a very long time, what are some challenges you've faced and overcome?**

We need access to employees that are willing to work in the oilfield. We need people that like to work outside and maybe were exposed to the oil land gas industry through family members—they make good employees. Farmers make excellent employees and the farming operations aren't what they used to be, so we can draw some people off the farms that are generally good employees just about anywhere you put them.

I like to think that we have some of the best people out there. We don't have a high turnover rate. We try to avoid turnover because it takes a while to properly train drivers. It costs money to train them, put them in fire resistant clothing, and safety equipment.

In the past, we've found that one of the bigger problems in the industry was financing. When the industry was slow, before shale drilling was even dreamed of, financing was a little tough to do. Affording to maintain or replace equipment was challenging. Now that the boom is on, so to speak, financing is much easier. I believe the banks understand our industry more now than they ever did, which really helps. Without good banking, you can't expand. When you start buying new or relatively new equipment it takes a lot of financing. It takes good bankers that understand what you're doing.

**Could you speak on your involvement with OOGA and how it has helped your company?**

OOGA is an outstanding organization. The aspect I’m most impressed with is OOGEEP. The education program that Rhonda Reda developed has been fantastic. It has been ideal for the industry and for the general public. They do a great job educating kids and adults alike what the industry is about—what we do, what we produce, what the product is used for. Many people were not aware of the many uses for petroleum and natural gas. Everyone thought you get oil and gasoline for your car and get heat for your house. That is just scratching the surface.

The Association has allowed me to get to know customers by going to meetings and events. There are great industry events where I can meet people I've talked to and done business with. I don't know if this is as good for them as it is for me, but I like to meet people I've been talking to.

The Association has done an amazing job as far as legislation goes. They are totally involved and have helped prevent unnecessary regulations. The industry has certainly benefitted from OOGA's efforts in Columbus and Washington.

**Do you have any advice for those trying to break into the oil and gas industry?**

Get ready to work because it does not come easy. You're going to put in a lot of time whether you're going into the field or not. You don't necessarily need a college degree, but it can help tremendously. The petroleum engineers, geologists and company men make many of the big decisions and there is always a demand for that. The work might not always be local. Also, if you like to travel, it is a great industry to get involved in.

I think people who want to start in the industry need to be affiliated with someone that is already established. It is important to learn some of the things that you can't learn in books or school. You have to get in and get your feet wet and learn from people who have already had their ups and downs. That is the kind of education you can't get in school. College degrees are an asset. Marietta College is a great example. They have turned out some of the best geologist and engineers. It is one of the best schools in the country.

**Is there anything else you'd like the readers to know?**

I like what I do. As a matter of fact I love the industry, and my wife. The hours are sometimes pretty tough. You plan trips, you plan time with family, but it doesn't always work out. There is a lot of rescheduling or sometimes I go and my wife stays or vice versa. If I'm not here, I don't worry about anything. She can run the business as well as I can. That's my number one asset. My next best asset is my dispatchers. They are experienced oil field truck drivers and handle their responsibilities well. If I was ever going to choose something to do coming out of high school, I would choose exactly what I've done. I'm not on top, but I keep trying. I'd recommend it to anyone that doesn't mind crazy hours and a little dirt. It is a challenging industry and it changes almost daily. There is never a dull moment.

Want more? Check out our blog each month at www.ooga.org for video profiles on highlighted members!
Natural Gas Development Opposition Cries Wolf . . . Again

By: Mike Chadsey, Director of Public Relations

Over the last few years, those who oppose safe and responsible natural gas development have shouted allegation after allegation of environmental harm in every corner of Ohio and beyond. Carroll County is the most developed shale county in Ohio and it comes as no surprise that the group located there makes plenty of noise concerning alleged water quality problems. Since the goal line from the opposition continues to change every time an argument of theirs gets disproven, they simply move on to the next “crisis.” Now those who belong to the Carroll County Concerned Citizens are on the record making claims about water contamination.

Their claims have been put to the test by a geology professor from the University of Cincinnati named Dr. Amy Townsend-Small. She and her team of graduate students have been studying four private water wells (with goal of testing 25) in Carroll County on a quarterly basis and will continue to test them for the next year. The results thus far conclude there is NO water contamination from Utica shale development. No surprise here, but those in the anti-development movement have been quoted in the local paper saying such things as “Well, not yet.”

Even when presented with the fact that there are no water quality or quantity issues in the county, they still “cry wolf.”

To be fair, some of the wells tested by Townsend-Small did show the presence of biogenic methane. This kind of methane is created by the transformation of organic matter by tiny microorganisms and has nothing to do with oil and gas development. The highest sample tested was caused by a nearby pond with active microorganisms or decomposing plant matter. However, the levels were not high enough to cause concern. The fact of the matter is, there is methane in the water of some of Carroll County’s residents, but it was not created or caused by ongoing natural gas development.

Just as the development is ongoing, so is the water testing. Producers in the field continue to test, thus creating a baseline for any future claims by those looking to grind production to a halt. The baseline data and the additional data that is collected by the University of Cincinnati team will give everyone plenty of science-based evidence to review concerning water wells in Carroll County.

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Even when presented with the fact that there are no water quality or quantity issues in the county, they still “cry wolf.”
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OOGSC provides regular high-quality occupational safety training opportunities and safety resources for members. Monthly meetings promote an industry culture of health and safety awareness and environmental stewardship with the explicit intent of a continuous reduction of occurrences and severity of workplace injuries.

Visit oogsc.org for membership information.
OOGA Board of Trustees

Election Results

The Nominating Committee met on November 12, 2013 to count the ballots received from the membership during October and November. The month long balloting resulted in two newly elected Trustees and nine re-elected Trustees to the OOGA Board for three-year terms, beginning January 1, 2014.

Newly Elected Trustees

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

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

Re-elected Trustees

Producer
Clinton W. Cameron
Cameron Drilling Inc.
Zanesville, Muskingum County
Frank W. Gonzales
Gonzoil, Inc.
Canton, Stark County
Mark D. Jordan
Knox Energy, LLC
New Albany, Franklin County
John W. Miller
AIM Energy, LLC
North Canton, Stark County
Gregory J. New
Dorfman 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

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

Professional
Brian Coblentz
Appalachian Oilfield Technologies, Inc.
Millersburg, Holmes County
Ohio’s Shale Industry Creates Demand for New Hotels

By: Anne Carto, Communications Coordinator

Throughout the past two years, the media and advocates of the oil and gas industry have touted the incredible economic benefits development of Ohio’s Utica Shale is bringing to communities. Over 40,000 jobs have been created, tax revenue has filled the pockets of local governments, and the steel industry is on the rebound. To most, there is a clear benefit to developing Ohio’s geological gift. However, there are still skeptics on whether Ohio is truly benefitting economically. Now, there is concrete proof of new business due to shale development in communities throughout the eastern part of the state. At least ten hotel projects are in some stage of planning, completion, or construction in Ohio clearly linked to Utica shale development.

Corporex is developing five of the ten hotel projects proposed in the Utica region. Nick Heekin, vice president of Corporex Capital explained to the Cincinnati Business Courier what brought the developer to the area:

“Corporex has always taken an opportunistic, demand focused approach to new developments, and we see no stronger demand generator than the energy exploration in this area, which is still in the very early stages.”—(Corporex building 5 hotels in Northeast Ohio, 11/12/13)

Heekin said Ohio’s oil and gas region is different from others like North Dakota because there are “multiple demand generators” such as company headquarters, rail lines, highways, and other infrastructure.

Belmont, Carroll, Columbiana, Guernsey, Jefferson, and Stark counties tallied a smaller combined population than Columbus alone in 2010, but will see the ten hotel projects come to fruition in the next few years. Seven of the hotels have broken ground, two have been remodeled, and one recently opened in Jefferson County.

The small town of Carrollton is home to only around 3,200 people and one hotel, but thanks to shale development, Carroll County will see two more hotels built. Amy Rutledge, executive director of the Carroll County Chamber of Commerce told the Canton Repository the growth is needed:

“The two hotels are being developed because of the oil and gas industry. There will be tourists staying there. That is part of it... We are hoping to get more restaurants and retail in our community.”—(‘Oil and gas play’ attracts new hotels to Carrollton, 12/25/13)

She explains to Crain’s Cleveland Business that people are resorting to neighboring towns instead of bringing their business to Carrollton:

“We have a lot of people who are working in Carrollton who are staying in hotels in Canton and (the) New Philadelphia area because there's not enough places for them to stay here in Carrollton.”—(Shale boom is yielding a hotel gusher in six Ohio counties, 11/26/13)

As production continues to grow with midstream operations being put in place, it is expected that new construction will continue to pop up. This construction will provide jobs to local families and new tax revenue to communities throughout Ohio.
Triple Jeopardy: When OSHA, EPA, and DOJ Work Together

By: Bruce Smith

In 1970, President Richard Nixon helped establish OSHA. As a result, worker safety became a federal responsibility, with regional and area offices established throughout the United States to enforce OSHA standards.

While the intention of creating OSHA was noble, there’s a perception among stakeholders that the fines and penalties at the agency’s disposal provide minimal incentive for employers to comply with OSHA regulations. By contrast, EPA another Nixon creation has been empowered to impose herculean sanctions, fines and penalties on employers and facilities for violation of environmental laws and regulations.

For example, the maximum penalty that OSHA can impose for a single willful violation is $70,000. EPA, on the other hand, can fine up to $250,000 per day, per violation. EPA also can impose criminal sanctions, working hand-in-hand with the Department of Justice. The fine and penalty provisions for EPA virtually are limitless.

That’s not the case when we discuss OSHA. For instance, OSHA only is able to pursue a criminal penalty when a willful violation of an OSHA standard results in the death of a worker. The maximum penalty is a misdemeanor with a maximum of six months in jail.

In 2006, as an interim measure to strengthen the agency’s enforcement capability, OSHA, EPA and the Department of Justice announced a joint compact called the Worker Endangerment Initiative. Since then, the three agencies have pursued several high-profile criminal prosecutions.

According to the Justice Department’s website:

“The Worker Endangerment Initiative arises out of the principle that employers who are willing to ignore worker-safety laws in their efforts to maximize production and cut costs will ignore environmental laws as well. Accordingly, the Environmental Crimes Section and the Environmental Protection Agency Criminal Investigation Division provided (OSHA) compliance officers with criminal investigative and environmental training so that serious environmental crimes may be identified. [More than] 1,000 OSHA inspectors, managers and Department of Labor Solicitors have received training.”

In the initiative’s pilot case, the agencies pursued criminal charges against several managers at the Atlantic States Cast Iron Pipe Co. for environmental violations during facility inspections.

Under federal law, both EPA and OSHA regulate companies’ hazardous-chemical management programs. In many respects, EPA’s requirements for risk-management plans and OSHA’s requirements for process-safety management are the same regulations. Consequently, when a company or facility is in violation of one standard, it likely is in violation of the other as well.

Some of the more prominent enforcement actions under the Worker Endangerment Initiative are highlighted below.

Hershey Co.

In November 2008, the Hershey Co. pleaded guilty to violating the Clean Air Act and agreed to pay a $100,000 fine, for failing to develop and implement a risk-management plan at two of its facilities in Pennsylvania.

Triggered by an OSHA inspection, the case was referred to the Justice Department for criminal enforcement even though there was no chemical-release incident that prompted the action.

At the time of Hershey’s guilty plea, EPA noted that the company stored large amounts of anhydrous ammonia at its plants in Harrisburg and Middletown, Pa., for use in its refrigeration systems.

“Anhydrous ammonia is regulated under the [Clean Air Act] because it is flammable and can irritate both the skin and eyes,” EPA said in a 2008 new release. “The CAA regulations required Hershey to develop and implement a risk-management program for each facility to, among other things, protect worker safety, minimize the chance of a release from refrigeration processes at the facilities that would endanger workers and surrounding communities, and to develop and implement prevention and emergency response plans.”

The case was the first prosecution of a company for failing to have a proper risk-management plan under the Clean Air Act.

Tyson Foods

In January 2009, Tyson Foods Inc. pleaded guilty in a federal court to a willful OSHA violation that led to an employee’s death at the company’s River Valley Animal Foods plant in Texarkana, Ark. The court ordered Tyson Foods to pay $500,000 the maximum criminal fine and serve one year of probation.
The prosecution and plea agreement stemmed from a 2003 incident in which Tyson maintenance worker Jason Kelley was overcome by hydrogen sulfide gas (a byproduct of the rendering of chicken feathers) while repairing a leaking hydrolyzer. Kelley later died, and another employee and two emergency responders were hospitalized due to exposure during the rescue attempt, according to court documents.

Despite the fact that the incident was investigated by OSHA and treated as a violation of OSHA standards, the Justice Department's Environmental Crimes Section took the lead in the prosecution to augment the punishment and penalties against Tyson.

The fatality was a repeat violation involving the same facility and rendering processes that resulted in the death of an employee one year earlier. The aggravating circumstances arguably justified the coordinated enforcement under the Worker Endangerment Initiative.

**Beef Products**

In April 2013, Beef Products Inc. agreed to pay a $450,000 civil penalty for alleged violations of the Clean Air Act at the company's meat-processing facility in Waterloo, Iowa.

The settlement stemmed from a 2007 incident at the now-closed Waterloo facility in which more than 1,000 pounds of anhydrous ammonia were released into a production area. Exposure to anhydrous ammonia left one worker permanently disabled and another worker dead. During the response to the release, management directed its employees to enter the facility while dangerous levels of airborne anhydrous ammonia remained present, according to EPA.

After the 2007 incident, EPA gathered information about the release and facility operations through information requests and an inspection. The agency determined that Beef Products had a risk-management program on paper, but failed to implement the program at the Waterloo facility, contributing to the 2007 incident.

“The implementation of a risk-management program is integral to the safe operation of facilities where anhydrous ammonia is used,” EPA regional administrator Karl Brooks said. “The 2007 incident in Waterloo demonstrates that having a plan only on paper increases the risk of accidental exposure to both employees and first responders.”

OSHA got the ball rolling by citing Beef Products for various safety violations concerning the ammonia release and fatality that included process-safety-management violations, and later referred the case to EPA. The case became a coordinated enforcement action leveraging the Worker Endangerment Initiative.

**BP**

On April 20, 2010, a gas release and subsequent explosion on the Deepwater Horizon oil rig killed 11 workers and injured many others. Oil continued to flow into the Gulf of Mexico for several months after the accident, making it the largest oil spill in U.S. history.

Commensurate with the scale of the disaster, BP PLC and rig operator Transocean Deepwater Inc. have agreed to pay gargantuan civil and criminal fines, as OSHA, EPA and DOJ have prosecuted the companies through the Worker Endangerment Initiative.

In November 2012, BP agreed to plead guilty to felony manslaughter, environmental crimes and obstruction of Congress and pay a record $4 billion in criminal fines and penalties for its actions that led to the Deepwater Horizon disaster.

In January 2013, Transocean Deepwater pleaded guilty violating the Clean Water Act and agreed to pay $1.4 billion in fines and penalties for its role in the disaster.

**Conclusion**

In grade school, we are taught that the U.S. Constitution prohibits someone from being tried for the same offense twice. This is known as the prohibition against “double jeopardy” and has been the subject of movies and novels throughout our nation's history. However, in the arena of federal enforcement, double jeopardy is a reality.

Violations of federal law can result in both civil and criminal penalties. Environmental crimes and OSHA violations can cross agency lines and result in multi-agency enforcement.

While Congress hesitates to strengthen OSHA’s enforcement capability, the federal bureaucracies have created their own remedy to fill the void. Manufacturers that use hazardous chemicals need to be aware that violations of OSHA PSM regulations can be referred to EPA for RMP review and consideration of further enforcement.

When the Justice Department brings its mighty enforcement muscle to bear, it creates a triple-jeopardy threat that most companies and individuals can ill-afford to fight.

*Bruce Smith is a Nebraska licensed attorney who specializes in environmental, health and safety law. He works at the Goosman Law Office in Sioux City, Iowa.*
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Basic Safety Orientation Training – A Comparison in the Appalachian Basin

By: Wayne Vanderhoof CSP, RJR Safety Inc.

The Challenge

In the Marcellus and Utica Shale plays of the Appalachian Basin, all of the Operators and many large Service Companies require all of their subcontractors to provide to their current and all new employees basic safety orientation training. Most of the Operators and Service Companies do not specify exactly which of the available basic safety training programs they will accept for this requirement. This leads the subcontractors to try to determine on their own which programs are available and guess at which one the Operator or Service Company will accept. Granted all it takes is a simple call to the Operator or Service Company contractor management representative or safety representative, yet some subcontractors do not make the call. The situation that the subcontractor finds themselves in is that they may not provide the accepted basic safety orientation training to their employees and this may prolong the time between the signing of a contract or MSA and the actual awarding of projects to the subcontractor while the subcontractor provides a second (and accepted) basic safety orientation training at additional costs to the subcontractor. These additional costs could have been avoided if the subcontractor would have made the call to the Operator or Service Company.

Basic Safety Orientation Training Programs

There are generally three basic safety orientation training programs currently available. They are:

- SafeLand USA (PEC or IADC Rig Pass)
- OSHA 10 Hour Outreach Training (General Industry or Construction)
- West Virginia University AWARE (Recognizing & Controlling Hazards in the O&G Industry)

While these basic safety orientation training programs are similar in content, they are not exactly the same. This article will explore some of the major the similarities and differences of the programs.

Basic Comparison

In a basic comparison of the programs looking at the number of topics covered, length of training, issuing of a card or certificate, the use of a training database, and testing, the descriptions below provide some basic similarities and differences.

SafeLand USA IPEC or IADC Rig Pass) covers 24 topics with the class time of 9 to 10 hours that can be conducted in 1 day. The students that successfully complete the tests with at least an 80% receive a photo identification card and the information is maintained in a database available online for verification. There is currently no expiration date for the card or any requirement by SafeLand USA for refresher training. The curriculum was developed by industry stakeholders for the industry.

Generally, the SafeLand USA training has many topics that must be covered in the course and is not customizable to the specific subcontractor tasks. The review of the information is a very basic presentation of information. The curriculum was developed by industry stakeholders for the industry.

OSHA 10-hour General Industry covers 7 OSHA-mandated topics and 4 to 6 optional topics with the class time of 10 hours over 2 days. The students may be given a test at the Instructor’s discretion. Students receive an OSHA card designated with General Industry and a control number on the card for tracking purposes. The control number is assigned to the Instructor and the training is not tracked in an easily accessible database. There is currently no expiration date for the card or any requirement by OSHA for refresher training.

OSHA 10-hour Construction covers 4 OSHA-mandated topics and 4 to 6 optional topics with the class time of 10 hours over 2 days. The students may be given a test at the Instructor’s discretion. Students receive an OSHA card designated with Construction Industry and a control number on the card for tracking purposes. The control number is assigned to the Instructor and the training is not tracked in an easily accessible database. There is currently no expiration date for the card or any requirement by OSHA for refresher training.

Generally, the OSHA 10 hour Outreach Training (General Industry & Construction) has fewer topics and can be customized to the specific subcontractor tasks. With the fewer number of required topics and the opportunity to customize, somewhat, the training according to the subcontractor tasks the training can be more in-depth in the information provided.

WVU AWARE covers 13 topics with the class time of 8.5 to 9.5 hours that can be conducted in 1 day. The students that successfully complete the test receive a photo identification card with the student information maintained yet not available online. There is currently no expiration date for the card or any requirement for refresher training.

Generally, the WVU AWARE Program is modeled after...
the Outreach training yet is not exactly the same as the Outreach training. The training covers hazards found in the basic operations including Site Preparation, Drilling, and Production, though the training is not customizable. The curriculum is picture-based and was developed by industry stakeholders for the industry within the Appalachian Basin.

**Similarities**

In a comparison of all 3 of the basic safety orientation programs (SafeLand USA – PEC and IADC Rig Pass, OSHA 10 Hour Outreach Training - General Industry and Construction, and West Virginia University AWARE), all of the programs cover to some degree the topics of Hand Safety, Materials Handling, the requirements for first-aid/ CPR, Confined Space Entry, Lockout/Tagout, Hazard Communication, Electrical Safety, Fire Prevention & Fire Extinguisher Use, Walking-Working Surfaces, Fall Protection, and Personal Protective Equipment. The extent of which the topics are covered will vary depending on the Instructor and their presentation style and personal agenda.

**Differences**

Additional topics covered by SafeLand USA and not in the other two programs are Behavioral Safety, Drugs & Alcohol, Stop Work Authority, Job Safety Analysis, Injury Reporting Requirements, Workplace Violence, Environmental Concerns, and Site-specific Hazards.

Some topics are covered by some of the basic safety orientation programs and some are not. For example, Excavation & Trenching is covered in the SafeLand USA and OSHA Outreach Training for the Construction Industry, and in certain modules in the WVU AWARE Program. Hazardous Materials (Flammables & Combustibles) are covered in the OSHA Outreach 10 hour General Industry and the WVU AWARE while not in the other programs. The Introduction to OSHA topic is covered in both of the OSHA Outreach Training programs and partially in the WVU AWARE Program while not at all in the SafeLand USA program. The OSHA Outreach Training for Construction covers the four main causes of fatalities in the Construction Industry (Focus Four Hazards) and the WVU AWARE Program uses similar information as the statistics bear the facts that the causes of fatalities in the Construction Industry are similar to the ones in the Oil & Gas Industry.

**Need for Training**

The requirement by Operators and Service Companies for subcontractors to provide a basic safety orientation to their employees is not based on any OSHA-specific regulations yet they are based on American Petroleum Institute (API) Recommended Practices. Two such Recommended Practices are API RP-54 and API RP-76.

The concept of basic safety orientation training to employees, both current and new, provides a good starting point or foundation on which to build a company safety program or system. The employees learn to recognize industry-specific hazards along with the necessary and required methods to control those hazards. They develop an understanding of general safety requirements before they enter a jobsite and understand that they need to have company-specific safety procedure training. The basic safety orientation training encourages employees to take responsibility for their own safety and the safety of their coworkers.

There are more than 100 OSHA regulations that have some type of requirement for training such as initial training, as plans change, and new chemicals are introduced into the workplace, before using tools, equipment, and PPE, Competent Person training, or Qualified Person training. OSHA does not have a requirement for general safety training or basic safety orientation training. OSHA requires that employees be trained on company-specific safety procedures according to the applicable OSHA standards. Therefore, it is imperative that subcontractors have the necessary and required company-specific safety procedures according to the applicable OSHA regulations and provide every worker with training in the company-specific safety procedures.

**Knowing the Training Requirements**

Though there are some Operators that specify the basic safety orientation that they will accept, most Operators and Service Companies do not specify which basic safety orientation they will accept as they do not have a specific preference. It only takes a phone call or two to find out which program they will accept or require. If the Operator or Service Company does not have a specific preference then the subcontractor has to know the different programs available.

By knowing the different types of basic safety orientation training available to the subcontractors, the decision as to which program to have their workers trained should be easier. The summary of the training programs listed above gives the subcontractor a reference point and a basic understanding of the available training. It is up to the subcontractor to determine which training is best for their workers according to the tasks that they perform.

(This article was adapted by the author from presentations by the author to the members of PIOGA at the winter 2012 meeting and to the PIOGA Safety Committee. This article, prior to updating for this submission, was previously included in the PIOGA monthly newsletter about June of 2012.)
Public Presentations / Events Calendar

December 2013

3 - 5 Ohio Oil and Gas Association Oilfield Expo
5 OOGEEP/Disney “Rocking in Ohio” at Parma STEM Elementary School
6 Ohio University Oil and Gas Forum
11 OOGEEP/Disney “Rocking in Ohio” at Tusky Valley Intermediate
11 Louisville Middle School Career Day
12 OOGEEP/Disney “Rocking in Ohio” at Twin Oak Elementary School
13 American Shale and Manufacturing Partnership Renaissance Discussion Series
13 OOGEEP/Disney “Rocking in Ohio” at Green Middle School
14 OOGEEP/Disney “Rocking in Ohio” at The Works
16 OOGEEP/Disney “Rocking in Ohio” at Sheridan Middle School
17 OOGEEP/Disney “Rocking in Ohio” at O.H. Somers Elementary School
18 OOGEEP/Disney “Rocking in Ohio” at Harmar Elementary School
19 OOGEEP/Disney “Rocking in Ohio” at Tuslaw Middle School
20 OOGEEP/Disney “Rocking in Ohio” at Mason Elementary School

January 2014

9 Stark County Educational Service Center Oil and Gas Forum
30-31 Science Education Council of Ohio Conference and Trade Show

February 2014

8 STEM Career Showcase
10 Fairlawn Chamber of Commerce Oil and Gas Forum
12-15 Ohio Township Association Winter Conference
13 Ashtabula County Safety Council Oil and Gas Forum
20 Michigan Oil and Gas Association
28 Ohio Valley Educational Service Center Oil and Gas Forum
The Ohio Oil and Gas Energy Education Program (OOGEEP) completed its final 2013 Industry Training Series at the McDonald Marlite Conference Center in New Philadelphia. To date, more than 200 companies from around Ohio have participated in the specialized OOGEEP training programs.

“OOGEEP workplace safety training by design, engages oil and gas industry workers from companies both large and small, new and experienced, and no matter what job they do to cultivate a safety first, safety last and safety always attitude on and off the job,” said Charlie Dixon, OOGEEP Safety & Workforce Training administrator.

Participants were provided a renewed outlook on the safety, health and environmental issues oil and gas industry workers face during the International Association of Drilling Contractors (IADC) Rig Pass-To-Go program on the first day. Dixon conducted the training session along with Dan Marion, IADC certified instructor with the Mid-East Career and Technology Center.

“The IADC Rig Pass is a standardized safety orientation program for all oil and gas operations, whether onshore or offshore. It’s a must for all new and current employees to receive accreditation, said Dixon, who is also an IADC certified instructor. “OOGEEP is proud to have been accredited by IADC so that we can provide this required training to industry workers here in Ohio.”

On second day, Sarah Ghezzi, an industrial safety consultant specialist with the Ohio Bureau of Workers Compensation, provided training on the new labeling requirements to the Haz Comm standard which takes effect December 1, 2013.

Another session helped participants understand the safe handling of condensate and “wet” gas currently being produced. Dixon and Gary O’Brien, president of O’Brien’s Safety Services, emphasized the importance of air monitoring, well flowback, monitoring of frac tanks used for storage, production safety site and transportation safety.

Dixon and O’Brien also led the final session focused on winter operations in the oil and gas industry including cold weather safety for equipment and cold weather safety for employees.

“In many matters of life, it takes but a moment of time to make the right choice,” said Marty Miller, OOGEEP board member, safety committee chair and vice chair of Alliance Petroleum Corporation. “A wrong choice though, has the potential to leave us with a life time of regret. Workforce Safety is not an exception. OOGEEP’s Industry Training Series is providing our workforce with the tools of knowledge and awareness to assist our workers in making the right choices.”
An Ohio energy company that manufacturers a road deicer and dust suppressant processed from brine water produced from oil and gas wells recently settled a lawsuit after the court issued a ruling against two individuals who had made false and defamatory statements about the product.

Duck Creek Energy, based in Brecksville, Ohio, created AquaSalina™ in 2003 and received approval for its use as a deicer and dust suppressant from the Ohio Department of Natural Resources in 2004. The liquid deicer and dust suppressant, AquaSalina™, is natural seawater that is a byproduct of oil and gas well production processed to clean water standards except for the salt content into a new commodity and is used by snow removal contractors and municipalities in Ohio. Applying AquaSalina™ to rock salt reduces salt used and chloride run off into our lakes and streams.

In early 2012, Duck Creek brought the defamation suit against Tish O’Dell and Michelle Aini, who are also members of a group (MADION – Mothers Against Drilling In Our Neighborhoods) that oppose oil and gas drilling, because they described AquaSalina™ as frac water and frac waste. The case was recently settled with the defendants agreeing to an injunction preventing them from further defaming Duck Creek Energy and also they and one insurance company paying the company damages. The defendants are prohibited from referring to AquaSalina™ as fracwater, fracking waste, frac waste, fracking fluid, fracking by-product, toxic, carcinogenic, cancer causing, poisonous or radioactive or any synonym thereof.

“I felt it was crucial to stand up for the oil and gas industry and hold these individuals accountable for making defamatory statements about our product,” said David I. Mansbery, president of Duck Creek. “The defendant’s malicious statement that AquaSalina™ is “frac water” was completely untrue and in fact the product they defamed is environmentally-friendly and use of the product actually gives benefits to the environment rather than harming it by reducing the rock salt and chlorides applied to roadways by up to 40 percent. The very environment some individuals claim to protect is harmed by their misguided actions.”

“This was a great victory for the oil and gas industry,” said Rhonda Reda, executive director of the Ohio Oil and Gas Energy Education Program (OOGEEP). “We are thrilled to have the courts penalize individuals who spread false and malicious information about the industry and hope this will encourage people to do their research and educate themselves on the facts about the oil and gas industry.”

“It is refreshing to see a company fight back against defamatory remarks regarding the industry,” adds Shawn Bennett, director of Energy in Depth Ohio. “Duck Creek Energy should be praised for their work in minimizing the use of injection wells instead of being vilified by misinformed oil and gas activists.”

Reda said the public should take note of the positive work being done by Duck Creek Energy. “Dave’s company has found a new use for brine water that diverts it from being placed into injection wells and repurposes it to safely use as a deicer or dust suppressant on city streets and roads,” Reda said. “Plus every gallon of AquaSalina™ used replaces a gallon of fresh water that municipalities and others use to make their own brine from rock salt.”

Last month, corrosion inhibited AquaSalina+™, was added as an approved product by the Pacific Northwest Snowfighters Association (PNS), a nationally recognized leader in establishing and standardizing chemical products for snow and ice control. The organization certifies chemicals for the Clear Roads Organization comprised of 26 Departments of Transportation across the country which require PNS certification of liquid de-icing and dust suppressant chemicals.
In Memoriam

Barton S. Holl

Barton S. Holl, 90, of Logan, passed away Tuesday, November 26, 2013 at Bennington Glen Nursing Home in Marengo. He was born February 10, 1923 in Logan, son of the late Barton A. and Grace Sparnon Holl. He was married to Regina Downhour Holl, who survives.

Barton was a trustee of Logan-Holl Foundation and co-owner of Holl Investment Company, an OOGA member company. He was Emeritus Director of Peoples Bank Inc. and a trustee of Hocking College, including a year as a chairman. He was a Paul Harris Fellow and was a former member and past President of the Logan Rotary Club. Barton was a life member of the American Legion, a life member of The Ohio State Alumni Association and a member of The Ohio State University President’s Club.

He was a retired Chairman of Logan Clay Products, a WWII Army Veteran and a member of the former Immanuel United Methodist Church. Barton was a member of the American Ceramic Society, the National Institute of Ceramic Engineers and was the former President of the Ohio Ceramic Industries Association.

A sister, daughter, a special nephew, and many loving grandchildren and great grandchildren survive Mr. Holl.

Press Releases

IPAA Applauds U.S. House of Representatives’ Passage of Important American Energy Production Legislation

WASHINGTON, DC – Today, America’s oil and natural gas producers applauded the U.S. House of Representatives for passing two energy bills that not only protect successful state regulatory programs and the environment, but also ensure the nation’s energy sector continues its historic growth.

H.R. 2728, the Protecting States’ Rights to Promote American Energy Security Act, was approved to address a new Interior Department proposed rule that would increase federal regulations for oil and natural gas well construction and hydraulic fracturing on federal lands. This rule would undercut states’ authority to regulate energy production, a realm in which they have been successful for decades.

“This legislation, H.R. 2728, safeguards natural gas and oil development on federal lands by empowering states to regulate energy development, as they have been doing safely and responsibly. The long history of effective state regulation demonstrates that a one-size-fits-all federal requirement is unnecessary and will not increase environmental protection,” said Independent Petroleum Association of America (IPAA) President and CEO Barry Russell.

IPAA represents more than 10,000 American oil and natural gas companies that drill 95 percent of the nation’s wells.

In official comments on the Interior Department’s Bureau of Land Management (BLM) rule, IPAA and the Western Energy Alliance said that the Interior Department’s economic analysis estimates costs of $3,138-5,011 per well for a cumulative cost to industry of $12-20 million. However, a Western Energy Alliance / IPAA study released in July found BLM’s analysis to omit several significant categories of cost to the industry. In reality, the rule would cost $96,913 per well for a cumulative annual cost of $345 million.

Russell continued, “For more than a century, state regulators have done an outstanding job regulating onshore energy development. They have experience both with the environmental issues on the ground and the geology that varies widely within each shale play.”

IPAA also commended passage of H.R. 2850, the EPA Hydraulic Fracturing Improvement Act, which holds the EPA’s hydraulic fracturing study, currently in progress, to basic scientific principles and requires EPA to undergo an objective and rigorous third party review process.
DuPont Chemical Solutions and Baker Hughes Collaborate on a More Sustainable Oil and Gas Technology

Strategic Arrangement Provides Efficient Solutions for Effective Water Treatment

WILMINGTON, Del., Nov. 19, 2013 – DuPont Chemical Solutions (DuPont) and Baker Hughes Incorporated (NYSE: BHI) announced today a strategic arrangement aimed at bringing a more sustainable water treatment technology to the oil and gas industry. The two companies have been collaborating since early this year.

Baker Hughes will incorporate chemical compounds and specialized equipment from DuPont, as well as the company’s expertise in the application of chlorine dioxide (ClO2), in conjunction with Baker Hughes’ H2prOTM water management service to augment its Pressure Pumping operations. The cooperation between Baker Hughes and DuPont will lead to provide industry-leading best practices for water treatment and knowledge sharing between the two companies.

“DuPont is privileged to work with Baker Hughes, a global leader in the oil field services industry,” said Bill King, North America sales manager for DuPont Water Technologies. “Baker Hughes is a respected brand in the industry and they will be a strong advocate for our technology in the upstream markets for supporting hydraulic fracturing and other oilfield water treatment operations.”

ClO2 is used to treat water in the pressure pumping process. While this compound is in its infancy in the oil and gas industry, it has been used for more than 60 years in municipal drinking water, food processing and industrial cooling applications. Process water in oil and gas operations is treated to prevent the growth of bacteria and other organisms to maximize the performance efficiency of wells and minimize issues such as souring, fouling and corrosion. It allows for precise dosage, requiring the use of much smaller quantities of biocide as compared to other treatment options, and is EPA drinking water approved, providing greater environmental sustainability. Using this DuPont chemical compound, the water used in pressure pumping can be treated on-site, and reused.

In addition to providing ClO2 to treat water, DuPont also provides custom-engineered generators that can be designed to achieve optimal treatment results and can be fitted to Baker Hughes’ treatment trailers. The experience in equipment design provided by DuPont ensures the safe and efficient generation of ClO2.

“Our collaboration with DuPont will help us provide the most effective water management strategy to meet production objectives and lower operating expenses associated with water sourcing and disposal, with less impact to the environment,” said Brage Johannessen, vice president of Water Management for Baker Hughes. “DuPont brings application knowledge and experience that will help ensure an efficient process, safe operation and optimal production.”

Baker Hughes is a leading supplier of oilfield services, products, technology and systems to the worldwide oil and natural gas industry. The company’s 60,000-plus employees today work in more than 80 countries helping customers find, evaluate, drill, produce, transport and process hydrocarbon resources. For more information on Baker Hughes’ century-long history, visit: www.bakerhughes.com.

DuPont – one of the first companies to publicly establish environmental goals more than 20 years ago – has broadened its sustainability commitments beyond internal footprint reduction to include market-driven targets for both revenue and research and development investment. The goals are tied directly to business growth, specifically to the development of safer and environmentally improved new products for key global markets.

DuPont (NYSE: DD) has been bringing world-class science and engineering to the global marketplace in the form of innovative products, materials, and services since 1802. The company believes that by collaborating with customers, governments, NGOs, and thought leaders we can help find solutions to such global challenges as providing enough healthy food for people everywhere, decreasing dependence on fossil fuels, and protecting life and the environment. For additional information about DuPont and its commitment to inclusive innovation, please visit www.dupont.com.
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### Scout Members

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<th>Company Name</th>
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## Explorer Foundation Corporate Members

### Scout Members (cont.)

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## New OOGA Members (as of 12/13/13)

### Allied Industry

**Greg Banker**  
Area Manager  
**Rig Power**  
500 W. 3rd  
Dover, OH 44622  
817-522-8830  
gbanker@rigpower.net

**Rose Bays**  
Human Resource Manager  
**Holland Engineering, Inc.**  
220 Hoover Boulevard, Suite 2  
Holland, MI 49423  
616-392-5938  
rbays@hollandengineering.com  
www.hollandengineering.com

**David M. Crumrine**  
Marketing Director  
**The Environmental Quality Co.**  
36255 Michigan Avenue  
Wayne, MI 48184  
734-329-8000  
www.eqonline.com

**Francis J. DeJulia**  
President  
**Alco Washer Center**  
1243 West State Street  
New Castle, PA 16101  
724-658-8808  
alco.washer@verison.net  
www.alcowasher.com

**Melanie Downing**  
Marketing Director  
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220 Hoover Boulevard, Suite 2  
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mdowning@hollandengineering.com  
www.hollandengineering.com

**Rick Drummond**  
Owner  
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1718 Sixth Street, SW  
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330-455-7722  
justine@drummonduuniform.com  
www.drummonduuniform.com

**Gerald Ford**  
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Holland, MI 49423  
616-392-5938  
gford@hollandengineering.com  
www.hollandengineering.com

**Jacquelyn Horrick**  
Operations Manager  
**Hudson Workwear**  
6910 Miller Road  
Brecksville, OH 44141  
866-437-9327  
jackie@hudsonworkwear.com  
www.hudsonworkwear.com

**Arne Larsen**  
Civil Engineering Group Manager  
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alarsen@hollandengineering.com  
www.hollandengineering.com

**Francis McCann**  
N.A. Marketing Consultant  
**Dupont**  
974 Centre Road, Chestnut Run Plaza 702  
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Wilmington, DE 19805  
267-886-8151  
francis.x.mccann-1112@dupont.com

**Gary F. O’Brien**  
Safety Professional  
**O’Brien’s Safety Services**  
106 Mission Drive  
Marietta, OH 45750  
740-336-8407  
gary@obrienssafetyservices.com  
www.obrienssafetyservices.com

**John Paratore**  
Director of Marketing  
**Pepco**  
33210 Lakeland Boulevard  
East Lake, OH 44095  
440-946-3790  
jparatore@pepco.net.com  
www.pepco.net.com

**Norm Rados**  
Sales Manager  
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4700 Acom Drive  
PO Box 318047  
Cleveland, OH 44131  
216-524-6550  
normr@allcleveland.com  
www.allcrane.com

**F. Franz Schmidt**  
Independent Contractor  
636 Kemrow Avenue  
PO Box 299  
Wooster, OH 44691  
franz.schmidt1112@gmail.com

**Jason Shankelton**  
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3160 Canton Road, SW  
Carrolton, OH 44615  
jasons@razorrents.com

**Tom E. Simonson**  
President  
**Simonson Oilfield Specialty Sales, Inc.**  
7687 East Lincoln Way  
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330-264-9441  
tom@sos-sales.com  
www.sos-sales.com

**Brent E. Smith**  
Sales  
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7687 East Lincoln Way  
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www.sos-sales.com

**Gary Smith**  
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2655 Evergreen Road  
Southfield, MI 48076  
248-827-7322  
gsmith@hollandengineering.com  
www.hollandengineering.com
## New OOGA Members (cont.)

### Allied Industry (cont.)

**Craig B. Swope**  
Principal  
Stantec Consulting Services, Inc.  
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724-206-9982  
craig.swope@stantec.com

**Stephen N. Valero**  
Manufacturer's Representative  
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2700 Harmon Creek Road  
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304-975-2507  
svalerso@layfieldgroup.com  
www.layfieldgroup.com

**Joseph Vetter**  
GM  
Equalizer USA  
106 East State Road 231  
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219-310-8324  
jv@equalizerusa.com  
www.equalizerusa.com

**Janet L. Watson**  
Founder  
Highlines Oversize Load Escorting  
766 Camden Avenue  
Weston, WV 26452  
304-203-9700  
highlines11@yahoo.com  
www.highlines11.com

### Associate

**Jaynellen B. Sharp**  
Secretary  
The Crude Oil Company  
1819 Newark Road  
Zanesville, OH 43701  
740-452-3335

### Contractor

**Keith Auxier**  
Corporate Safety Director  
CJ Hughes  
75 West 3rd Avenue  
Huntington, WV 25776  
304-522-3868  
auxsaf@cjHughes.com

**Peter M. Bunner**  
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Zenith Systems, LLC  
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**Stephen E. Collins**  
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1571 Shyville Road  
Piketon, OH 45661  
740-443-7924  
gene.collins@wastrenadvantage.com  
www.wastrenadvantage.com

**Tracy Deible**  
General Superintendent  
CJ Hughes  
75 West 3rd Avenue  
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**Chad R. Frontz**  
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cfrontz@frontzdrilling.com  
www.frontzdrilling.com

**Doug Harrah**  
Controller  
CJ Hughes  
75 West 3rd Avenue  
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304-522-3868  
dharrah@cjHughes.com

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*Continued on the following page*
### New OOGA Members (cont.)

#### Contractor (cont.)

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<td>Dan Hill</td>
<td>Division Manager</td>
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<tr>
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<tr>
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#### Producer

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<tr>
<td>Aaron M Huck</td>
<td>VP</td>
<td>Blauer Energy Corporation 2517 Waterford Road P.O. Box 720 Marietta, OH 45750 740-373-6305 <a href="mailto:aaron.huckbec@gmail.com">aaron.huckbec@gmail.com</a></td>
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<tr>
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#### Professional

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<tr>
<td>Rachel Bell</td>
<td>Technical Sales</td>
<td>Noise Solutions PO Box 650 Sharon, PA 16146 <a href="mailto:rbell@noisesolutions.com">rbell@noisesolutions.com</a> <a href="http://www.noisesolutions.com">www.noisesolutions.com</a></td>
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<tr>
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<td>Leeth, Tishman, Fuscaldo, and Lampl 525 William Penn Place, 28th Floor Pittsburgh, PA 15219 412-694-7262 <a href="mailto:pbolton@leechtishman.com">pbolton@leechtishman.com</a></td>
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<tr>
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<td>Lori Brookshire</td>
<td>Corporate Director of Sales &amp; Marketing SKY Hospitality, LLC 5999 Central Avenue, Suite 102 St. Petersburg, FL 33710 727-576-5167 <a href="mailto:lori.brookshire@skyhospitality.com">lori.brookshire@skyhospitality.com</a> <a href="http://www.skyhospitality.com">www.skyhospitality.com</a></td>
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</tr>
<tr>
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Vincent D. Colaianni
Vice President
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For more information, please contact Emens & Wolper Law Firm, One Easton Oval, Suite 550 Columbus, Ohio 43219 at (614) 414-0888 or email bwolper@emenswolperlaw.com or cwilson@emenswolperlaw.com.
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March

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

January

Marcellus – Utica Midstream Conference & Exhibition
January 28 – 30, 2013
David L. Lawrence Convention Center
Pittsburgh, PA
www.marcellusmidstream.com

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

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

Settle Price, Crude Oil Light Sweet
New York Mercantile Exchange (NYMEX)
Monday, December 9, 2013
$ per Bbl

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Settle Price, Natural Gas
New York Mercantile Exchange (NYMEX)
Monday, December 9, 2013
$ per MMBtu's

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2013 Gas Index Prices

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<td>3.250</td>
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<td>3.510</td>
<td>3.240</td>
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• Buying Local Production
• Competitive Pricing
• Producer Hedging Services

Mark Sackett
Fuels Trader
470 Olde Worthington Rd
Westerville, OH 43082
Phone: 614-797-4396
mark.sackett@exeloncorp.com
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