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Latest Update on EPCRA Reporting Requirements

Congressman Bill Johnson is continuing to aggressively seek a resolution for our concerns over the EPCRA reporting requirements. Jackie Stewart from Congressman Johnson's office has been following up with the EPA regularly to get a response to the Congressional inquiry that he launched on our behalf November 1, 2013.

Despite repeated requests from the Congressman's office, the EPA has not provided a response. The EPA had initially communicated that the response was ready. It then went to the EPA administrator's office for approval and has been sent back for further internal review. Congressman Johnson believes it is now prudent to take the inquiry to the next level. He will be presenting this to the House Energy & Commerce Committee's Subcommittee on Oversight and Investigation to discuss potential action. Congressman Johnson will continue to pressure the EPA to respond to our inquiries and requests; however, given what we are seeing from the EPA, this is a difficult and lengthy process.

Producers should have prepared for the Dec 15th deadline, but know that Congressman Johnson is fighting this on our behalf. See Page 23 for the previous information sent Nov 20, 2013 on this topic.

See Page 8 for the SOOGA Letter to Congressman Bill Johnson and Page 10 for the letter from Congressman Bill Johnson to the Federal EPA.

SOOGA Members,

We have moved to 214 1/2 Warner Street, Marietta OH, 45750, our phone and fax numbers are the same. Please feel stop in and check out the new SOOGA office.

Thanks and have a Safe and Happy New Year!

THE CROW'S NEST



As we move into winter, storage is 76% full, and the gas market has re-acted positively to some very cold weather in the last couple of weeks, moving up into the mid \$4.40 range for January, 2014. With the December DTI Index posting at \$3.75 and TCO index posting at \$3.31, we are seeing January, 2014 trading in the \$4.40 to \$4.44 range at the time of this article, December 19, 2013. This market is still somewhat volatile, waiting on additional longer term weather forecast and positive economic news that may impact pricing.

Our membership is growing as the Utica Shale brings more producer and support companies to Ohio and our Southeastern Ohio area. In December of 2013, SOOGA had 419 members. We are currently at 471 members and growing. The Board of Trustees and the Association appreciates the participation of all of our members in our activities, and looks forward to your participation in our Open Forum meetings, membership meetings, clay shoots, trade show, and golf outings throughout 2014. Also on the horizon are new regulations being formulated, such as the severance tax and the right to know act. We are working with Senator Bill Johnson on the EPA reporting. We will continue to monitor these issues and follow up with our members as they develop.

As the association prepares for 2014, SOOGA is actively planning some new events and training, in addition to looking at some avenues to get our message out to the public for what the association and its members stand for, and what our positive contributions are to the industry and the communities we work in. We now have a partnership with WMOA radio, and we are airing messages about our industry daily. We are in the process of constructing a new web page, as well as a SOOGA Face book page, so please watch for these and check them out. It will be a positive way to get our message out, and receive feedback about our industry from the public.

As we enter the Holiday Season, the SOOGA board would like to wish all of our members a very Merry Christmas and a Happy New Year. We look forward to seeing and working with you in the New Year, and hope that you attend our meetings and functions throughout the year.

Continue to operate safely and protect our environment. Our country needs the energy you produce.

President
Jim Javins

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following new members:

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 Marietta, OH 45750
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Professional
 Berkshire Hathaway
 114 Flintwood Dr.
 Marietta, OH 45750
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**Southeastern Ohio Oil and Gas Association
Gas Committee Report
December, 2013**

PRICING

Prices December 9, 2013

One Year NYMEX strip (January, 2014 – December, 2014)	\$4.21
Summer NYMEX strip for 2014 (April-October)	\$4.16
Winter NYMEX strip (Jan. 2014 – March, 2014)	\$4.24
TCO Index Posting - December, 2013	\$3.75
DTI Index Posting – December, 2013	\$3.31

It appears that high storage levels combined with enhanced production capabilities and slow usage growth could keep gas prices from rising dramatically over the next couple of years.

GAS STORAGE AS OF THE December 5, 2013 Report

Working Gas in storage was 3,614 Bcf as of Friday, December 5, 2013. At 3,614, total working gas is **within** the 5 year historical range.

Region	Stocks billion cubic feet (Bcf)			Year ago (11/29/12)		5-Year average (2008-2012)	
	11/29/13	11/22/13	change	(Bcf)	% change	(Bcf)	% change
East	1,861	1,939	-78	1,994	-6.7	2,019	-7.8
West	530	546	-16	545	-2.8	508	4.3
Producing	1,223	1,291	-68	1,275	-4.1	1,191	2.7
Salt	303	331	-28	316	-4.1	227	33.5
Nonsalt	920	960	-40	959	-4.1	963	-4.5
Total	3,614	3,776	-162	3,926	-5.2	3,718	-2.8

Storage is 84.7% full compared to normal as of this report, with normal total capacity of 4,265 at the start of the withdrawal season

GATHERCO

Retainage for September, 2013, is as follows for the Gatherco systems. Treat was 6.0%, Miley was 6.0%, Meigs was 9.36%, York was 6.0%, Grimes was 9.54%, and Elk was 3.0%.

October, 2013 retainage was not available as of the date of this report.

(Continued to page 6)

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(Continued from page 4)

WEST VIRGINIA NEWS:

West Virginia appears to be close to landing a coveted ethane cracker plant to serve the Utica and Marcellus shale plays -- the sort of billion-dollar project coveted by Ohio economic development officials for some time.

West Virginia Gov. Earl Ray Tomblin and officials from Brazilian company Odebrecht stood shoulder to shoulder at a press conference recently, saying the company is looking at developing a cracker near Parkersburg across the Ohio River from Marietta.

The plant, which would separate ethane from natural gas, would be part of a petrochemical complex that would include three polyethylene plants and facilities for water treatment and energy cogeneration.

UTICA NEWS:

Utica Shale holds massive resources, estimate shows. [Columbus Business Journal](#). The U.S. Geological Survey released its first estimate, showing the shale formation holds about 38 trillion cubic feet of undiscovered, recoverable natural gas, 940 million barrels of oil and 9 million barrels of natural gas liquids such as ethane and propane.

Ohio is ranked 14th in this year's [Global Petroleum Survey](#) of 147 states and countries by the Fraser Institute, a free-market think tank in Calgary, Canada. That's down from second in 2011, with the fall apparently driven by concerns about complying with tougher federal and state environmental [regulations](#) and a tax increase on oil and gas [production](#) proposed by Gov. [John Kasich](#).

NEW PIPELINES PROPOSED TO SPUR UTICA SHALE DRILLING IN OHIO

Two pipeline companies from the Southwest, Williams Companies Inc. and Boardwalk Pipeline Partners LP, have formed a joint venture to build a transportation system to move natural gas liquids from shale plays in Ohio, West Virginia, and Pennsylvania to processing and storage facilities in Louisiana.

The BlueLine Pipeline would allow oil and natural gas producers to move 200,000 barrels/day of natural gas liquids, such as ethane, to processing facilities on the Gulf Coast. The pipeline will be built from the Ohio and West Virginia Utica and Marcellus plays to a transmission system in Hardinsburg, KY. From there, the natural gas liquids would be transported via a converted portion of a pipeline to Eunice, LA.

The companies expect to approve the project later this year and put the pipeline into service in the second half of 2015. Cost of the project is still to be determined.

Spectra Energy, along with two other companies, are proposing a new 250 mile 36" pipeline, Nexus Gas Transmission, for transporting gas from shale drilling in eastern Ohio to Detroit and southern Ontario, subject to FERC approval. The anticipated cost of this new pipeline is \$1.5 billion, and could be in service as early as November, 2016. The proposed pipeline will run from Carroll County, Ohio, to Detroit and southern Ontario.

DOMINION EAST OHIO:

Blue Racer Midstream has negotiated a new agreement for liquids uplift for producers on the DEO Guernsey/Cambridge gathering system for conventional production. The new agreement will be an amendment to the original HCA agreement. I will have more details sent out via email in the next couple of weeks.

MIDSTREAM/PROCESSING NEWS:

Blue Racer Midstream's gas processing plant was hit by an explosion on September 21, 2012, and there is no news yet when it might reopen. The cause of the explosion has not been determined, and the investigation is continuing. A damage estimate has not yet been compiled for this incident.

Pinto Energy is looking to build a 2,800 bbl/day gas to liquids plant east of Ashtabula, Ohio. It will produce high quality synthetic liquids as well as lubricants, waxes and solvents from gas being produced by the Utica and Marcellus formations.

Markwest has been processing 60 Mmcf/d since August of 2012 from its gas processing facilities in Cadiz. They have now completed their Cadiz 1 facility and commence operations of their 125 Mmcf/d cryogenic processing plant. With the completion of Cadiz 1, MarkWest will now be able to process more of the liquids rich gas coming from customers like Gulfport, Antero, PDC and Rex Energy.

Further South in Noble County, MarkWest is at work building an additional complex: the Seneca Complex. The Seneca I and Seneca II gas processing plants will be capable of processing 200 Mmcf/d each, and is on pace to begin operations of the Seneca I early in the fourth quarter of this year. The Seneca II is also scheduled to be installed later this year.



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Letter: Reporting Requirements under 1986 EPCRA

Southeastern Ohio Oil & Gas Association

Monday, October 21, 2013

Honorable Congressman Johnson,

On behalf of the Southeastern Ohio Oil and Gas Association (SOOGA), we would like to raise some concerns regarding the memorandum from the State Emergency Response Commission dated September 11, 2013. The memorandum is titled "Reporting Requirements under the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA)".

The action mandated by this memorandum would cause Ohio's oil and gas industry to take a huge step backwards in terms of chemical disclosure to first responders. The reporting requirements in the memorandum are not only unnecessary but redundant to successful systems already in place. In 2001, the Ohio legislature passed House Bill 94 which put Ohio at the forefront of chemical disclosure. In the past 12 years the system has worked very well and has saved first responder's time and effort in identifying chemicals and other hazards in the oil and gas industry.

Ohio currently uses the Oil and Gas Emergency Website, housed at the Ohio Department of Natural Resources website, as a digital chemical disclosure database. Since the data is available in a green, digital format, it saves emergency planners significant space for many other important purposes. It would be a shame to revert back to a paper reporting system rejected by first responders and emergency planners. These rejections led to the development of the digital submissions.

At the time of its implementation the Oil and Gas Emergency Website was heralded as an innovative tool at providing emergency responders information by both the State Review Oil and Natural Gas Environ-

mental Regulation and the Council of State Governments. It not only meets the requirements set forth for EPCRA, but also offers other useful information not required by EPCRA.

We as an association believe we have met and exceeded our obligations of providing the essential information to our emergency planners. We therefore respectfully request the assistance of your office in the following issues:

- Request that chemical disclosures already submitted to the State of Ohio through the SERC process be retrieved through the state's database system without additional burden to independent producers and First Responders of Ohio.
- Request the crude oil component is removed from the reporting requirements as a hazardous substance. Crude oil is a known substance to all first responders and does not require special reporting. Through years of training and response experience, the local fire chiefs support removing crude oil as a hazardous substance. Over 50,000 stock tanks have contained the same material at the same location for decades; preparing a 5 page form to confirm this to first responders is unnecessary.
- Allow independent producers to file the required additional reports by March 1st along with the existing reports that are due to the state. The additional time is necessary to allow proper understanding and compliance with the additional request.

- Do not burden the independent producers with additional filing fees for information they are already submitting to the state.

The Southeastern Ohio Oil and Gas Association is comprised of over 100 operators who are primarily small independent operators. These operators do not have the time, staff or resources to comply with the immediate implementation of the mandates of this memorandum. Our members work with emergency planners and first responders to make sure they have all of the information they need in case of an emergency. While we believe these new requirements are unnecessary and burdensome, we want to ensure we remain in compliance. The current timetable will not allow our members to achieve that goal. Respectfully submitted for your consideration, Board of Trustees, SOOGA

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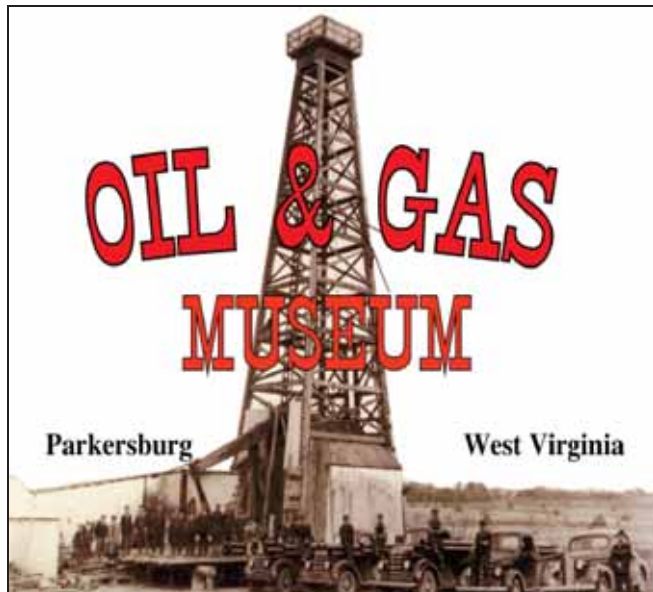
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November 1, 2013

Administrator Gina McCarthy
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator McCarthy:

I am writing on behalf of the Southeastern Ohio Oil and Gas Association (SOOGA), an organization that represents over 100 oil and gas operators, most of which are located within my congressional district. In addition to SOOGA, I am also writing on behalf of the local and state government emergency response teams in my district which also have expressed concerns over a recent U.S. EPA determination pertaining to reporting requirements, found in the memorandum titled "Reporting requirements under the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA)." I have enclosed the memorandum for your review.

As you know, Congress passed the EPCRA which was intended to support our local emergency planners and responders with information concerning potential chemical hazards present in their communities. As you also know, in 2001 the Ohio Legislature passed House Bill 94, which revolutionized filing requirements and streamlined the process by utilizing a website. The U.S. Department of Energy funded this website, which has been used by our fire departments and emergency response agencies for over ten years, giving our first responders immediate access to information in times of critical need. I have attached a letter from the Ohio Fire Chiefs Association Director regarding his opinion on this system and training - and, as you will note, our first responders have been pleased with the website.

However, it is my understanding that this new recent EPA determination requires submitting information through paper form to remain in compliance with EPCRA. I have two basic questions. First, what was the process which led the agency to arrive at this determination and to the memorandum in question? Second, are the new requirements specified in the memorandum being enforced nationwide, or just through Region 5?

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Ironton, OH 45639

(740) 534-9431

(Continued from page 10)

In addition to my questions, I have attached a letter from SOOGA with several requests. I ask that your office give each request a full and fair consideration.

I especially want to note the last two requests made by SOOGA. The additional time request is vital. Many of the operators who are being impacted by this decision are small companies and simply need more time to allow for education. The additional filing fees being imposed are also an unnecessary burden to these small companies, especially given our continued slow economic recovery.

I believe these new requirements are not productive to complying with the EPCRA of 1986, and will create unnecessary costs and overhead burdens on the operators and first responders. I ask for your help in clarifying the agency's decision on this matter, and in the interim, respectfully request that companies be given more time to provide for adequate education in order to comply with the new reporting requirements.

Thank you for your consideration, and I look forward to hearing from you. Should you have any questions or concerns, please call Ms. Jackie Stewart at (330) 337-6951.

Sincerely,



Bill Johnson
Member of Congress

BJ/js

Cc: Director Scott Nally, Ohio EPA



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HYPOTHERMIA



and how to treat it

If you spend any time outdoors, you should know the problems caused by exposure to temperature extremes—mainly hypothermia.

Hypothermia is a condition marked by an abnormally low internal body temperature, typically 95 F or lower. It is not a simple drop in skin temperature. Prolonged exposure to cold, wind, and moisture, or immersion in water below 75 F, can cause a reduction of body temperature.

Uncontrollable shivering is usually the first symptom, followed by sleepiness and confusion. Irregular pulse rates, slurred speech, shallow or very slow breathing, weak pulse, slow or irregular heartbeats and disorientation are also symptoms.

Candidates for hypothermia include people of all ages, but children and the elderly are especially susceptible. The elderly probably account for nearly half of all victims of hypothermia. Among the elderly, those most likely to be affected are the chronically ill, the very old, the poor who are unable to afford enough heat and those who do not take the normal steps to keep warm. A person who lives alone and receives few visitors has a greater chance of lengthy exposure to the cold as a result of an incident or illness.

To treat hypothermia, carefully remove any cold or wet clothing from the victim. Keep the patient dry and warm. Give the victim sweet, hot drinks only if he or she is conscious and alert. Do not give the victim alcohol, and avoid rubbing the victim's skin. This is a life-threatening condition, and one that requires **IMMEDIATE EMERGENCY MEDICAL CARE.**

Hypothermia.pub

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GAS PRICING

NOVEMBER 2013

NYMEX Settlement: \$3.4970
 Inside FERC/DTI: \$3.2400 (Basis: -\$0.257)
 Inside FERC/TCO: \$3.5100 (Basis: \$0.013)
 NYMEX 3-day Average: \$3.5910

DECEMBER 2013

NYMEX Settlement: \$3.8180
 Inside FERC/DTI: \$3.3100 (Basis: -\$0.508)
 Inside FERC/TCO: \$3.7500 (Basis: \$0.068)
 NYMEX 3-day Average: \$3.7916

OIL PRICING 2013

ERGON OIL PURCHASING WEST VIRGINIA MONTHLY AVERAGE

October Ohio Tier 1: \$99.7016
 October Ohio Tier 2: \$96.7016
 October Ohio Tier 3: \$93.7016
 October West Virginia Tier 1: \$98.2016
 October West Virginia Tier 2: \$95.2016
 October West Virginia Tier 3: \$92.2016
 October Marcellus/Utica Condensate: \$77.6361
 October Marcellus/Utica Medium: \$ 99.7016
 October Marcellus/Utica Light: \$93.0203

November Ohio Tier 1: \$92.9810
 November Ohio Tier 2: \$89.9810
 November Ohio Tier 3: \$86.9810
 November West Virginia Tier 1: \$91.4810
 November West Virginia Tier 2: \$88.4810
 November West Virginia Tier 3: \$85.4810
 November Marcellus/Utica Condensate: \$71.2243
 November Marcellus/Utica Medium: \$92.9810
 November Marcellus/Utica Light: \$84.6130

Tier 1 - 150 + net barrels of crude oil
 No more than 2% BS&W (if the BS&W is over
 2% it will then qualify for Tier 2 pricing)

Tier 2 - 60-149.99 net barrels of crude oil
 Two Stops within 5 miles

Tier 3 - 30-59.99 net barrels of crude oil

The prices as posted are based upon computation of volume by using tank tables, or as measured by a deduction for all BS&W and correction for temperature deductions or allowances shall be made on the oil purchased shall be free of contamination and/or alteration by foreign substances or chemicals not but are not restricted to, oxygenated and/or chlorinated compounds.

The Marcellus/Utica Shale produced crude oil will be purchased based on the monthly average for the following postings:
 38.0-49.9 API Gravity—**Marcellus/Utica Medium** crude oil
 50.0-59.9 API Gravity—**Marcellus/Utica Light** crude oil
 60.0+ API Gravity—**Marcellus/Utica Condensate** (formerly posted as Appalachian Sweet Light-ALS).
 Other parameters will be evaluated on a farm by farm basis.

You can now find EOP WVA Crude oil Price Bulletin on the internet at:
www.ergon.com

OIL PRICING 2013

AMERICAN REFINING GROUP AVERAGE

10/21 to 10/31 Group 1 OH: \$96.69
 Group 2 OH: \$93.69
 Group 3 OH: \$90.69
 11/1 to 11/10 Group 1 OH: \$93.46
 Group 2 OH: \$ 90.46
 Group 3 OH: \$87.46
 11/11 to 11/20 Group 1 OH: \$92.70
 Group 2 OH: \$89.70
 Group 3 OH: \$86.70
 11/21 to 11/30 Group 1 OH: \$92.78
 Group 2 OH: \$89.78
 Group 3 OH: \$86.78
 12/1 to 12/10 Group 1 OH: \$95.55
 Group 2 OH: \$92.55
 Group 3 OH: \$89.55
 12/11 to 12/20 Group 1 OH: \$
 Group 2 OH: \$
 Group 3 OH: \$

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Group 2 (OH/PA/NY) - 60.0-149.99 net barrels from a single location

Group 3 (OH/PA/NY) - 30-59.9 net barrels from a single location

For questions relating to ARG Group Pricing or Utica / Marcellus Shale pricing, please contact:

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(Continued from page 6)

Utica East Ohio (UEO), a joint venture by Access Midstream, M3, and EV Energy Partners, became the first fully integrated gathering, processing, and fractionation complex to be put into operation on July 28th. in Eastern Ohio. This initial phase of the UEO project is capable of processing 220-million cubic feet per day at their cryogenic processing facility near Kensington, and is processing 45,000 barrels per day of natural gas liquids at their fractionation, storage and rail facility new Scio.

The second phase is under construction and scheduled to be completed in December, 2013 with a third phase to follow. When complete, the UEO project will have 800 million cubic feet per day of cryogenic processing, 135,000 barrels per day of natural gas liquids fractionation, 870,000 barrels per day of natural gas liquids fractionation, 870,000 barrels of gas liquids storage and a rail facility capable of loading 90 cars per day.

Hickory Bend Project, the NiSource and Hilcorp natural gas processing project, has announced the construction of a \$60 million pipeline to move natural gas liquids from their cryogenic natural gas processing plant in Springfield Township to attractive market destinations. Pennant Midstream will construct the 12 inch 38 mile pipeline. It will have the capacity to deliver up to 90,000 bbls. of NGS per day to a Utica East Ohio pipeline in Columbiana County, and from there be transported to the fractionator in Harrison County.. It is expected to be complete by July, 2014

For more information, click on this link; <http://energyindepth.org/ohio/new-natural-gas-plant-up-and-running-in-eastern-ohio/>

Utica Facts and Numbers – Calendar Year 2012:

Owner Name	Oil (BBLS)	GAS (MCF)	BRINE (BBLS)	Days	Wells
ANADARKO E & P ONSHORE LLC	118,726	443,297	107,313	1,335	7
ANTERO RES APPALACHIAN CORP	21,522	37,693	4,499	27	3
CHESAPEAKE EXPLORATION LLC	372,212	10,092,701	401,816	4,811	53
CNX GAS COMPANY LLC	10,015	9,986	1,284	50	1
DEVON ENERGY PRODUCTION	2,149	0	69,792	294	5
ENERVEST OPERATING LLC	32,546	160,209	23,010	304	3
GULFPORT ENERGY CORP	63,167	767,129	46,912	185	8
HESS OHIO RESOURCES LLC	560	922,979	2,285	296	2
HG ENERGY LLC	0	232,847	4,334	247	1
PDC ENERGY INC	2,120	10,608	8,427	311	3
REX ENERGY	<u>12,879</u>	<u>159,213</u>	<u>18,786</u>	<u>119</u>	<u>1</u>
TOTALS	635,896	12,836,662	688,458	7,979	87

AS of November 16, 2013, there have been 988 Utica Shale permits issued in 23 counties in Ohio to 29 companies, and 606 of them have been developed. The counties are listed below.

Ashland, Belmont, Carroll, Columbiana, Coshocton, Geauga, Guernsey, Harrison, Holmes Jefferson, Knox, Mahoning, Medina, Monroe, Muskingum, Noble, Portage, Stark, Trumbull, Tuscarawas, Washington, and Wayne.

There are currently 184 Utica Shale wells in production, without a single environmental violation to date.

Use of Data:

The information contained in this document is compiled and furnished without responsibility for accuracy and is provided to the recipients on the condition that errors or omissions shall not be made the basis for a claim, demand or cause of action. The information contained in this document is obtained from recognized statistical services and other sources believed to be reliable, however we have not verified such information and we do not make any representations as to its accuracy or completeness.

Disclaimer:

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BASIS UPSIDE DOWN

By: Robert L. Matthey, Jr.

As we enter a new year, we are faced with many new hurdles. As small producers in West Virginia, we were led to believe that we would need to help fund the upgrade on Dominion Transmission which is the wet gathering system by way of Hastings. This was called Appalachian Gateway which cost us 58 cents/dth and a ten year commitment with Dominion Field Services or whatever marketer you deal with, but the volumes on the wet system have decreased.

Now we are faced with the "BASIS" dilemma! The basis used to be a premium we received for our gas because we were located so close to the Northeast market. Now it appears that the basis in a negative number.

It appears that two factors have affected the basis:

- A) On Dominion Transmission (DTI), the basis in being traded on the Ice Exchange (Intercontinental Exchange).
- B) There is too much gas on Dominion pipelines!

The basis as of December 27, 2013, is as follows:

1 year strip	-0.93813
2 year strip	-0.96802
3 year strip	-0.97056

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November 20, 2013

Information on EPCRA

SOOGA Members,

We wanted to give an update on the work that is occurring on your behalf as SOOGA is representing the interests of the local Oil & Gas Producers.

As you know, the Ohio EPA issued a memorandum on September 11, 2013 titled "Reporting Requirement under the Emergency planning and Community Right-to-know Act of 1986 (EPCRA)". In this document, the EPA ruled that the Ohio General Assembly adoption of ORC 3750.081 does not replace the EPCRA requirements. This does not mean that we have violated any reporting requirements, but it does mean that the reporting system we have all used in Ohio for last 12 years through the ODNR website must now include the paper reporting requirements set forth in EPCRA. Ohio Producers had until November 15th to comply with the EPCRA standard and submit the paper documents for 2012. This deadline has been extended to Dec 15, 2013. The Ohio Oil and Gas Association (OOGA) and Ohio EPA conducted training in our area on Nov 18th and OOGA plans to post the training on their website. The link will be sent to the SOOGA membership when it is available.

SOOGA believes this new ruling from the EPA is a step back in our reporting methods and has significant negative impacts to the local producers and local fire departments. We are continuing to take steps to ensure our concerns are heard. The SOOGA board has written a letter to Congressman Johnson expressing our concerns and requesting help with the following actions:

- o Request that chemical disclosures already submitted to the State of Ohio through the SERC process be retrieved through the state's database system without additional burden to independent producers and First Responders of Ohio.
- o Request the crude oil component is removed from the reporting requirements as a hazardous substance. Crude oil is a known substance to all first responders and does not require special reporting. Through years of training and response experience, the local fire chiefs support removing crude oil as a hazardous substance. Over 50,000 stock tanks have contained the same material at the same location for decades; preparing a 5 page form to confirm this to first responders is unnecessary.
- o Allow independent producers to file the required additional reports by March 1st along with the existing reports that are due to the state. The additional time is necessary to allow proper understanding and compli-

ance with the additional request.


- o Do not burden the independent producers with additional filing fees for information they are already submitting to the state.

Congressman Johnson is working very closely with us to ensure our concerns are heard and understood by the federal EPA. Our intent is to ensure a reasonable system is in place that meets the spirit of the ruling while not causing a regression from the systems that are in place to a more burdensome and less useful one. He has sent a letter to the US EPA in Washington on our behalf and the SOOGA board has a follow-up meeting with Congressman Johnson to determine the next steps. We have received support from OOGA, OOGEEP and the Ohio Fire Chief's Association board of directors for our efforts. We will continue to fight for the local interests of our oil & gas industry.

If you have any questions or comments, please send them to the Board of SOOGA at mail@sooga.org.

Thank you,

SOOGA Board






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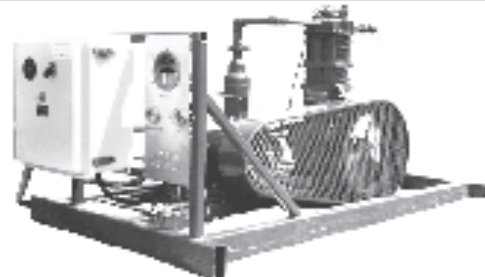


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Brecksville-based Energy Company wins defamation lawsuit

By: BOB DOWNING Published: November 11, 2013—Akron Beacon Journal

An Ohio energy company that manufactures 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 Aqua Salina™ 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, Aqua Salina™ 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 Aqua Salina™ 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 Trish O'Dell and Michelle Iain, who are also members of a group that oppose oil and gas drilling, because they described Aqua Salina™ as franc water and franc waste. The case was settled in September 2013 with the defendants agreeing to an injunction preventing them from further defaming Duck Creek Energy and also paying the company damages. The defendants are prohibited from referring to Aqua Salina™ as freshwater, frocking waste, frock waste, frocking fluid, frocking 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. Hansberry, president of Duck Creek. "The defendant's malicious statement that Aqua Salina™ is "franc 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 Aqua Salina™ 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.

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Fracking Wastewater Would Be Shipped By Barge Under Coast Guard Proposal

By Kevin Begos 12/15/13 PM ET EST AP

PITTSBURGH (AP) — The U.S. Coast Guard wants to allow barges filled with fracking wastewater to ply the nation's rivers on their way toward disposal. Many environmentalists are horrified, but industry groups say barge transport has its advantages.

Now, the wastewater is usually disposed of by truck or rail, which poses more risk for accidents than shipping by barge, according to a government report. And one barge can carry about the same amount of waste as 100 exhaust-spewing trucks.

The disagreements go to the core of the fight over shale gas drilling. Environmentalists say the chemicals in fracking waste are a tragedy in the making, but the industry says far greater amounts of toxic chemicals are already being moved by barge, including waste from oil drilling.

In 2010, U.S. barges carried 2,000 tons of radioactive waste, almost 1.6 million tons of sulfuric acid and 315 million tons of petroleum products, according to the U.S. Army Corps of Engineers.

"We expect that shale gas wastewater can be transported just as safely," said Jennifer Carpenter, of American Waterways Operators, a trade group based in Washington, D.C.

Environment America, a federation of 29 state-based groups, strongly disagrees. The group said in a statement that it gathered 29,000 comments opposed to the proposal from people around the country. Courtney Abrams, the clean water program director for the group, urged the Coast Guard to "reject this outrageous proposal."

Extracting natural gas trapped in shale formations requires pumping hundreds of thousands of gallons of water, sand and chemicals into the ground to break apart rock and free the gas. Some of that water, along with large quantities of existing underground water, returns to the surface, and it can contain high levels of salt, drilling chemicals, heavy metals and naturally occurring low-level radiation.

The Marcellus Shale formation, underlying large parts of Pennsylvania, West Virginia, Ohio and some neighboring states, is the nation's most productive natural gas field. Thousands of new wells have been drilled there since 2008, and hundreds of millions of gallons of wastewater needs to be disposed of each year.

Some states, such as Texas and Ohio, have many underground waste disposal wells. But Pennsylvania has only a few, meaning the leftovers have to be shipped elsewhere.

The Coast Guard proposal says barge companies want to move

waste from the Marcellus region "via inland waterways to storage or reprocessing centers and final disposal sites in Ohio, Texas, and Louisiana." That means large quantities of waste could be shipped on major rivers such as the Ohio; one of its main tributaries, the Monongahela; and the Mississippi.

Critics say that if there were an accident, it could threaten the drinking water supply of millions of people. They also cite the uncertainty around what's in that toxic mix. The Coast Guard is proposing to address that by requiring chemical testing of each barge load before shipment; test results would also be kept on file for two years.

A Marcellus wastewater spill wouldn't be any different from other threats, said Jerry Schulte, the emergency response manager for the Ohio River Valley Water Sanitation Commission, which has members in eight states. Occasional spills and other pollution are "a part of life" on industrialized waterways such as the Ohio, he said.

"Things happen, whether it's naturally occurring, or spills," he said.

Municipal water suppliers also monitor river water, and if there's a spill nearby, they shut intake valves until the problem has passed downriver.

One of the largest river spills in the region's history took place in 1988, when an on-shore storage tank ruptured in Pittsburgh, spilling about a million gallons of fuel oil into the river. The sludge flowed down the Ohio River, forcing many water suppliers to shut intakes for a week.

But according to a 2011 report by the U.S. Government Accountability Office, the fatality, injury and air pollution rates for barge transportation are far lower than truck or rail transport.

The Coast Guard is reviewing the comments from both sides, and it has the authority to approve or modify the rule. But there is no timeline for a decision, spokesman Carlos Diaz said.

A leading industry group supports using barges for the waste but isn't happy with the details of the Coast Guard proposal. In a Dec. 6 letter, the Marcellus Shale Coalition hailed the potential to reduce the waste being transported by highway but complained the proposal set the threshold too low for naturally occurring radiation, which would effectively prevent wastewater from being shipped by barge.

A spokeswoman for the U.S. Environmental Protection Agency couldn't immediately say Friday whether they have a position on the barge wastewater issue.

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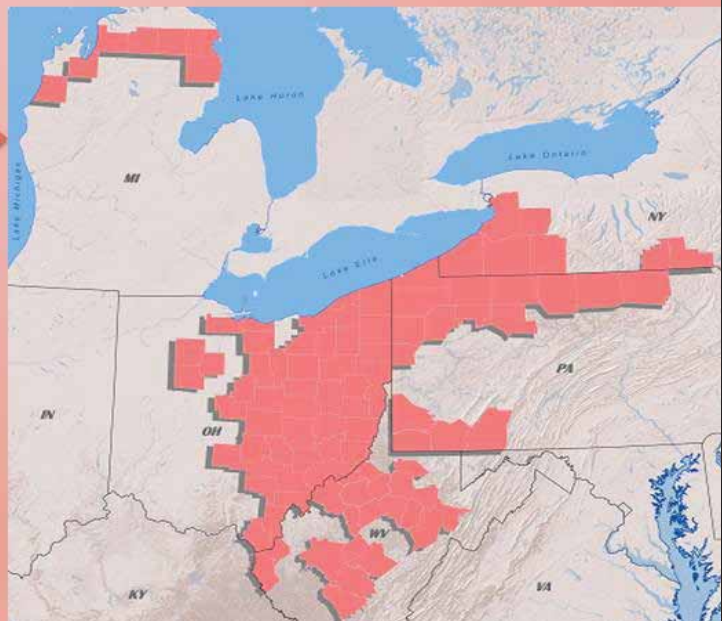
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W. Va. Gas Headed to Ohio In Dominion, Consol Deal

December 15th, 2013
By Casey Junkins, Shale Play

WHEELING -- Dominion Resources will ship 500 million cubic feet of West Virginia natural gas per day to pipeline connections in Ohio, while the company will also lease 100,000 acres of Marcellus Shale drilling rights to Consol Energy.

Consol will pay Dominion about \$200 million over nine years as part of a lease agreement that calls for Consol to drill on about 80,000 acres of Dominion-owned storage area land in the Gilmer County and Ritchie County areas of West Virginia. Dominion will retain the storage fields, but permit fracking into the much deeper Marcellus Shale formation.

Consol officials believe more than 50 percent of this acreage will contain both dry methane gas, as well as wet forms of gas such as ethane, propane and butane.

Consol recently completed its \$3.5 billion sale of five West Virginia coal mines to Murray Energy Corp., as Consol officials said they would use the proceeds from the deal to expand their natural gas drilling operations.

"This transaction reinforces Consol Energy's commitment to being a leading natural gas producer in the Appalachian Basin," said J. Brett Harvey, chairman and CEO. "These parcels represent what could be the largest untapped contiguous acreage in the southern core of the Marcellus Shale. They complement our already significant acreage position in northern West Virginia."

In conjunction with this deal, Dominion plans to ship 2.5 million cubic feet of natural gas daily to an interconnection with the Texas Eastern pipeline at Mullet, Ohio, and another 2.5 million cubic feet per day to the interconnection with the Rockies Express Pipeline in Clarington.

Directly across the Ohio River from Clarington is the Blue Racer Midstream processing plant in Marshall County. Dominion developed the Blue Racer plant, while the full-time workers at Natrium are considered Dominion employees. Blue Racer now officially owns the facility as part of a \$1.5 billion deal between Dominion and Caiman Energy. However, the plant remains shut down following a Sept. 21 fire. Officials expect Blue Racer to be up and running again early next year.

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Lippizan Petroleum is offering a \$2,500.00 reward for information on the theft of drilling tools from their West Milford, WV, location. The company had over \$30,000.00 of drilling tools stolen for the Cable Tool rig. Stolen items include several casing elevators, J wrenches, jars, bowls and slips.

If you have information on this theft, please contact Bob Matthey, Jr. at bob-matthey@westvirginia.com or 304-838-1299.



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