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**2014 Annual Fall Trade Show - September 18th, 2014**

Oil Haulers, LLC Facility ( Former Carter Lumber Co. )- 30625 Ohio 7, Marietta, OH

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**TRAINING SESSIONS**

**7:30am - Registration Open**

**8:00 - 8:30**

**Fire Extinguisher Training**

*Charlie Dixon - OOGEEP*

*Dick Glessner - Sterling Fire Dept.*

*Chief Brent Gates - New Concord Fire Dept.*

**8:30 - 9:00**

**Compressor Maintenance  
Canaan Industries, LLC**

*Chris Deem- Canaan Industries*

**9:00 - 9:30**

**2DOT Truck Inspection Overview  
Officer John Huffman**

**9:30 - 10:30**

**H2S Safety Training  
O'Brien's Safety Service**

*Gary O'Brien*

**\$25.00 Registration Fee (Per Person)**

*(Includes all classes)*

**Exhibits Open All Day**

**8:00AM - 4:00PM**

**Door Prize Drawings  
(must be present)**

**Register by September 12th, 2014**

**TECHNICAL PRESENTATIONS**

**Opening Comments/SOOGA Updates  
11:00am - 11:30pm**

*Jim Javins - SOOGA President*

**11:30am - 12:00pm**

**State and Federal Updates**

*State Representative Andy Thompson*

**Lunch Served @ Noon**

**Sponsored by: HAD Drilling Contractors and  
Buckeye BOP**

**Hosted by Ohio Valley Desk & Derrick Club**

**1:00-1:30**

**Open Hole Completion Systems  
Ryan Henderson- Peak Completions**

**1:30-2:15**

**Shallow Horizontal Drilling Panel  
Ryan Henderson- Peak Completions  
Mark Lytle-Buckeye Oil Producing  
Derek Hina - Universal Well Services**

**2:15-2:30**

**(15 minute Break)**

**2:30-3:15**

**Water Management & Regulatory Issues  
GreenHunter Water- John Jack**

**3:15-4:00**

**Washington County Sherriff's Office  
"Cut Team" Security Training**

**WELCOME RECEPTION**

**September 17, 2014 6:00 - 9:00 pm**

**The Galley - 203 Second St. Marietta, OH 45750**

**Please RSVP by September 12th, 2014**

Eric or John at [eric.kemmerer@peakcompletions.com](mailto:eric.kemmerer@peakcompletions.com) or

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## THE CROW'S NEST

The storage injection season is entering the fall season, storage is 59.9% full, and the gas market has struggled to stay around the \$4.00 mark through August 26, 2014. With the August DTI Index posting at \$2.40 (it's lowest in two years) and TCO index posting at \$3.76, we are seeing September, 2014 trading in the \$3.85 to \$3.95 range at the time of this article, August 26, 2014. This market is still somewhat volatile, waiting on additional longer term weather forecast and positive economic news that may impact pricing, as well as production numbers to ensure that storage injections will remain on schedule.

Our membership is growing as the Utica Shale brings more producer and support companies to Ohio and our Southeastern Ohio area. We are currently at 467 members and growing. The board 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.

The SOOGA Fall Golf Outing was held at Lakeside Golf Course, with nearly 130 registered golfers. It was a perfect day for golf (with the exception of a couple of rain showers), prizes were awarded, and everyone enjoyed the day. Your Association should make a profit on this outing to enable us to continue to provide training and service to its membership.

Our SOOGA Annual Trade Show will take place at the Oil Haulers LLC Facility at 30625 Ohio 7, Marietta, OH. We have a good number of booths already registered, and if you are interested in a booth, please contact Billie at the SOOGA office as soon as possible. We are having morning training sessions on Fire Extinguishers, Compressor Maintenance, DOT truck inspections, and H2S training. Please register for these courses as soon as possible as well. We have some legislative updates before lunch, and several good presentations in the afternoon on Open Hole Completion, a Shallow Horizontal Drilling Panel, Water management and regulatory issues, and the Washington County Sheriff's office "Cut Team" training. Please plan to attend each of these sessions.

Don't forget about our SOOGA Legacy Fund, which enables your Association through your donations the ability to help our


communities with local education programs in the energy field, scholarships for students, community center improvements, gas assistance programs, and helping local law enforcement be prepared and ready to respond to oil and gas related accidents. Please consider donating to this fund, no matter how small the donation might be, as it will help us continue this great program.

With our new partnership with WMOA radio, we are getting positive messages out to the public about our members and our industry. We are getting ready to put some new messages out, so stay tuned for those. Also, check out our new website and Facebook page.

As we move into the fall and winter of 2014, we will have several issues which your Association will be taking an active role in, and we will need the membership's help and input on issues as they arise. The severance tax issue, tank regulations in WVA in which registration has already begun, Wayne Forest Lease issues, and others will need to be closely followed and acted on by your board and committees. Please take an active role and provide your assistance with these issues as we present them to the membership.


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

President  
Jim Javins



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Cider Hill, TX 75104  
1-972-775-7577

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Indiana, PA 15370  
724-349-6090

**PATRICK LEGGETT**  
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1625 Stonehenge Road  
Charleston, WV 25314  
304-340-0015

**SANTINO PICCOLI**  
Allied Industry  
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8870 Darrow Road, Suite F106, #105  
Twinsburg, OH 44087  
216-408-8059

**JOHN WHARFF**  
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925 Lancaster St.  
Marietta, OH 45750  
740-373-1490

**JORDAN BRADENBURG**  
Professional  
Antero Resources Corporation  
1615 Wynkoop St.  
Denver, CO 80202  
303-357-7221

Continued to page 9

**2014 SOOGA Calendar of Events**

**Ergon Fish Fry** September 17th, 2014  
St Marys Marina  
St. Marys, WV

**Trade Show** September 18th, 2014  
Oil Haulers, LLC  
30625 St. Rt. 7  
Marietta, OH 45750

**Thorla - McKee Oil Festival** October 4, 2014  
Caldwell, OH

**Fall Clay Shoot** October 17th, 2014

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740-454-6253

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Heinrich Enterprises, Inc.  
740-373-5302

**Steve Sigler**  
Buckeye Oil Producing  
Company  
330-264-8847

**Roger Heldman**  
HG Energy, LLC.  
304-420-1107

**Chad Spence**  
Artex Oil Company  
740-373-3313

**Kathy Hill**  
Ergon Oil Purchasing, Inc.  
740-350-2804

**Southeastern Ohio Oil and Gas Association  
Gas Committee Report  
August, 2014**

**PRICING****Prices August 11, 2014**

One Year NYMEX strip (Sept., 2014 – Aug, 2015)	\$3.98
Summer NYMEX strip for 2014 (Sept.-October)	\$3.95
Winter NYMEX strip (Nov., 2014 – March, 2015)	\$4.11
TCO Index Posting – August, 2014	\$3.76
DTI Index Posting – August, 2014	\$2.40

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 August 7, 2014 Report**

Working Gas in storage was 2,389 Bcf as of Friday, August 1, 2014. At 2,389, total working gas is **below** the 5 year historical range.

Region	Stocks billion cubic feet (Bcf)			Year ago (08/01/13)		5-Year average (2009-2013)	
	08/01/14	07/25/14	change	(Bcf)	% change	(Bcf)	% change
East	1,219	1,157	62	1,400	-12.9	1,503	-18.9
West	387	381	6	481	-19.5	460	-15.9
Producing	783	769	14	1,047	-25.2	1,035	-24.3
Salt	212	210	2	265	-20.0	194	9.3
Nonsalt	570	559	11	782	-27.1	841	-32.2
<b>Total</b>	<b>2,389</b>	<b>2,307</b>	<b>82</b>	<b>2,927</b>	<b>-18.4</b>	<b>2,997</b>	<b>-20.3</b>

Storage is 56.0% full compared to normal as of this report, with normal total capacity of 4,265 at the start of the withdrawal season. Storage is 538 BCF below last year, and 608 BCF below the five year average.

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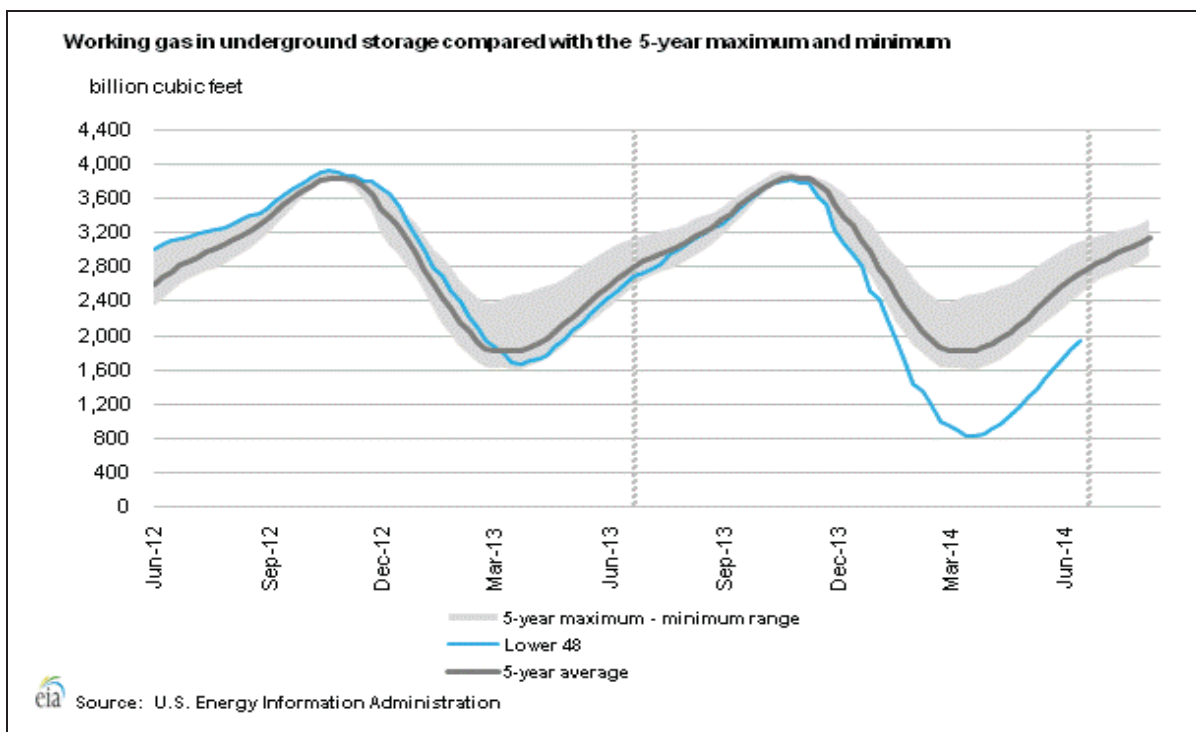
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(Continued from page 4)



**Note:** The shaded area indicates the range between the historical minimum and maximum values for the weekly series from 2009 through 2013.

**Source:** Form EIA-912, "Weekly Underground Natural Gas Storage Report." The dashed vertical lines indicate current and year-ago weekly periods.

### **EIA Raises Forecast for natural Gas Prices:**

According to the EIA, Natural gas prices will average \$4.74 per MMBtu, up 6.8% from its forecast last month, as supplies are likely to stay tight. This short term outlook predicts that the natural gas industry will need to produce more in November and December to catch up and match consumer demand of 72.3 Bcf per day in 2014, up 0.22 Bcf from last month's forecast. The EIA expects prices to finish at an average of \$4.88 per MMBtu, up 27% from the 2013 average price of \$4.84. Utilities that must inject into storage for the winter are competing for supplies with power plants and industrial consumers that are using more gas than expected now.

### **GATHERCO**

Retainage for May, 2014 is as follows for the Gatherco systems. Treat was 4.0%, Miley was 4.0%, Meigs was 13.24%, York was 4.0%, Grimes was 15.18%, and Elk was 18.93%.

June, 2014 retainage was not available as of the date of this report.

### **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.

### **New Tank Regulations:**

West Virginia has adopted some new tank regulations recently. The results and requirements of this new regulation was set out and explained in the latest SOOGA Newsletter, so please read it to familiarize yourself with these regulations if you have production in WV.

**Continued to page 10**



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**TOM SMITH**

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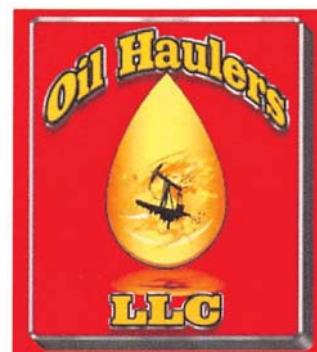
**BOB GERST**

**Oil Haulers LLC**

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bgerstr@hotmail.com  
 Website: oilhaulersllc.com



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### **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**

**BLUEGRASS PIPELINE CANCELLED:** Two pipeline companies from the Southwest, Williams Companies Inc. and Boardwalk Pipeline Partners LP, have cancelled the Bluegrass Pipeline due to insufficient level of customer commitments, referring to potential users saying they will need specified pipeline capacities.

### **SPECTRA ENERGY:**

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 would run from Carroll County, Ohio, to Detroit and southern Ontario.

### **AMERICAN ENERGY/REGENCY ENERGY PARTNERS**

American Energy and Regency Energy Partners are planning a \$500 million pipeline to move American Energy's Utica shale gas to major pipelines like Rockies Express and Texas Eastern that service Texas, Colorado, and states along the nation's southeastern rim. The 52 mile system will deliver more than 2 BCF per day of gas supply. It is expected to be completed in the third quarter of 2015.

### **ENERGY TRANSFER**

A second interstate pipeline is being planned to ship natural gas from the Utica and Marcellus Shale regions across Stark County. The planned Rover Pipeline would carry up to 3.25 BCF of natural gas per day from West Virginia, Pennsylvania, and Ohio. In total, the Rover mainline will include 380 miles of 36 inch and 43 inch diameter pipe and five compressor stations, plus 197 miles of supply laterals ranging in diameter from 24 to 47 inches.

### **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. More details will be available after the agreement is completed.

### **MIDSTREAM/PROCESSING NEWS:**

**Blue Racer Midstream's gas processing plant** that was hit by an explosion on September 21, 2013, is up and running. The second train was be up and running in April, 2014.

**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 commenced 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.

Markwest plans to add a third cryogenic plant to Cadiz complex in Harrison County to process the high volumes of natural gas from the Utica Shale. The new plant is expected come online during the first quarter of 2015 and will increase processing capacity at the Cadiz site to 525 million cubic feet per day.

Further South in Noble County, MarkWest is at work building an additional one: 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.

**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 28<sup>th</sup> 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.

Continued to page 22



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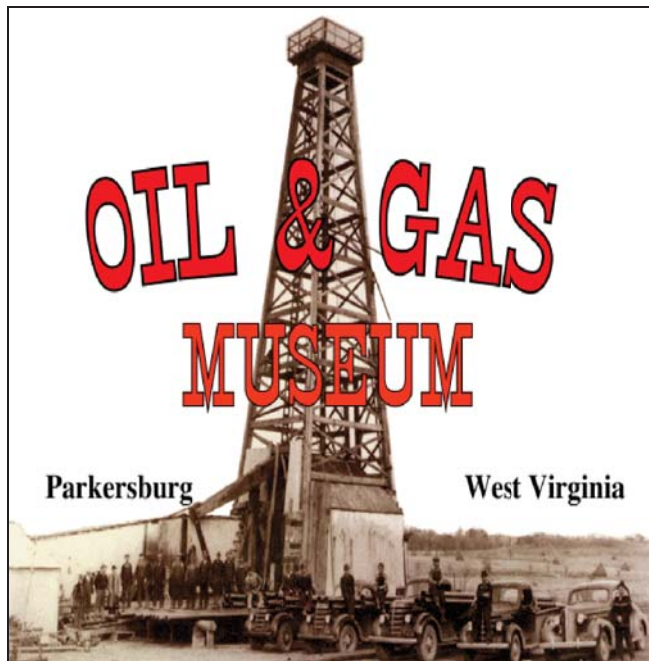
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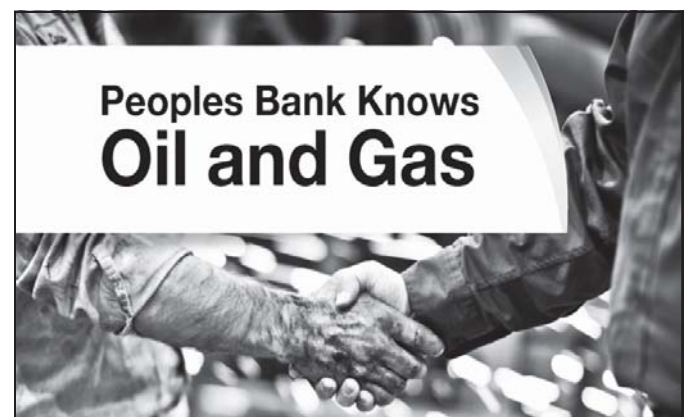


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# Lyme Disease

In order to reduce the risk of Lyme Disease in outdoor workers, the Occupational Safety and Health Administration today issued a Hazard Information Bulletin that advises employers how to implement an effective protection program.

If undiagnosed and untreated, Lyme Disease, a tick-borne illness that affected more than 16,000 people in 1998, may cause chronic arthritis, heart disease, and/or neurologic disorders. However, if recognized early, Lyme Disease can, in most cases, be successfully treated with standard antibiotic regimens.

The Hazard Information Bulletin recommends steps that workers should take to reduce the risk of Lyme disease. Workers can help prevent Lyme disease by avoiding tick habitats, wearing clothing that keeps ticks from reaching the skin, using insect repellants, and considering with their physician use of a protective vaccine. The Hazard Information Bulletin follows the recommendations of the Centers for Disease Control and Prevention.

Anyone working in the outdoors, especially in areas with tall grasses, shrubs, low hanging branches or mold is susceptible to being bitten by a tick.

- ▶ There are several diseases which can be carried by ticks, with the most well known being Lyme Disease.
- ▶ The ticks that carry Lyme Disease, as well as several other diseases, are the black-legged ticks.
- ▶ The ticks can carry disease in their larval, nymph, or adult stages.
- ▶ There were over 18,000 cases of Lyme disease reported in the United States during 1997. Other tick borne diseases effected several hundred people.

### How do Ticks get on a Person?

- ▶ Ticks do not jump, crawl, or fall onto a person. They are picked up when your clothing or hair touches a leaf or other object they are on.
- ▶ Ticks are generally found within three feet of the ground.
- ▶ Once picked up, they will crawl until they find a likely site to feed. Often they will find a spot on the knee, near the hairline, or behind the ears.



### Precautionary Measures

The best way to prevent tick borne diseases is not to be bitten by a tick. There are several things to do which will lessen your chance of being bitten.

- ▶ Wear long pants and a long sleeved shirt, tuck the shirt in your pants, and your pants into your boots or use tape to close the opening where they meet.
- ▶ Wear a hat, tie back long hair.
- ▶ Use an EPA approved insect repellent or pesticide.
- ▶ Wear light colored clothing so a tick can be seen better.
- ▶ Change clothes when you return from an area where ticks are located.
- ▶ Shower to wash off any loose ticks.

Outdoor workers in occupations such as construction, landscaping, and forestry working in heavily wooded or grassy areas are at increased risk of exposure to Lyme Disease bearing ticks.



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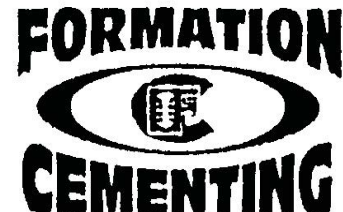
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**GAS PRICING 2014****JULY 2014**

NYMEX Settlement: \$4.4000  
 Inside FERC/DTI: \$2.8800 (Basis: -\$1.520)  
 Inside FERC/TCO: \$4.3300 (Basis: \$0.070)  
 NYMEX 3-day Average: \$4.4960

**AUGUST 2014**

NYMEX Settlement: \$ 3.8080  
 Inside FERC/DTI: \$2.4000 (Basis: -\$1.408)  
 Inside FERC/TCO: \$3.7600 (Basis: -\$0.048)  
 NYMEX 3-day Average: \$3.7787

**OIL PRICING 2014****ERGON OIL PURCHASING WEST VIRGINIA MONTHLY AVERAGE**

June Ohio Tier 1: \$103.6977  
 June Ohio Tier 2: \$100.6977  
 June Ohio Tier 3: \$97.6977  
 June West Virginia Tier 1: \$104.6977  
 June West Virginia Tier 2: \$101.6977  
 April West Virginia Tier 3: \$98.6977  
 June Marcellus/Utica Condensate: \$80.6763  
 June Marcellus/Utica Medium: \$ 103.6977  
 June Marcellus/Utica Light: \$95.9197

July Ohio Tier 1: \$101.3839  
 July Ohio Tier 2: \$98.3839  
 July Ohio Tier 3: \$95.3839  
 July West Virginia Tier 1: \$101.7387  
 July West Virginia Tier 2: \$98.7387  
 July West Virginia Tier 3: \$95.7387  
 July Marcellus/Utica Condensate: \$79.3706  
 July Marcellus/Utica Medium: \$101.3839  
 July Marcellus/Utica Light: \$95.2706

**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 associated with virgin crude oil. These include 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](http://www.ergon.com)

**OIL PRICING 2014****AMERICAN REFINING GROUP AVERAGE**

6/11 to 6/20 Group 1 OH: \$104.96  
 Group 2 OH: \$101.96  
 Group 3 OH: \$98.96  
 6/21 to 6/30 Group 1 OH: \$104.67  
 Group 2 OH: \$101.67  
 Group 3 OH: \$98.67  
 7/1 to 7/10 Group 1 OH: \$102.52  
 Group 2 OH: \$99.52  
 Group 3 OH: \$96.52  
 7/11 to 7/20 Group 1 OH: \$100.71  
 Group 2 OH: \$97.71  
 Group 3 OH: \$94.71  
 7/21 to 7/31 Group 1 OH: \$100.96  
 Group 2 OH: \$97.96  
 Group 3 OH: \$ 94.96  
 8/1 to 8/10 Group 1 OH: \$96.65  
 Group 2 OH: \$93.65  
 Group 3 OH: \$90.65

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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 11

The second phase is under construction and scheduled to be completed in December, 2014 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:**

Estimated Natural Gas Production increased 143 percent from 2012 to 2013, while oil production increased 95 percent. Around 203 BCF of natural gas was produced in Ohio last year, up from 83.4 BCF in 2012. About 9.7 million barrels of Oil was produced in 2013, up from 4.9 million barrels in 2012. These estimates could be revised as official results are released later this year from the ODNR.

For the first quarterly reporting Ohio saw some strong production numbers coming from wells online in eastern Ohio. In total, the 245 wells produced 1.3 million barrels of oil and 32.3 million mcf of natural gas. The average amount of time in production was 55 days.

The next quarterly report must be filed by mid-May for the First-quarter results, and released in June, 2014.

As of August 2, 2014, there have been 1,428 Utica Shale permits issued in 23 counties in Ohio to 29 companies, and 997 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 491 Utica Shale wells in production, with 31 rigs running.

**MARCELLUS SUPPLY UPDATE:**

It has been reported by the EIA that the Marcellus Shale gas has hit 15 BCF per day in July, 2014.

Use of Data:

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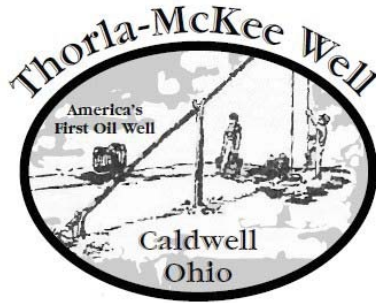
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And so the story began. On October 4, 2014, at the site of the Thorla-McKee Park we will hold the 200th Anniversary of the first oil well drilled in North America. We would like you to celebrate with us. We will have different types of entertainment, food vendors; other tourism attractions like the Shenandoah Traveling Museum will be there.

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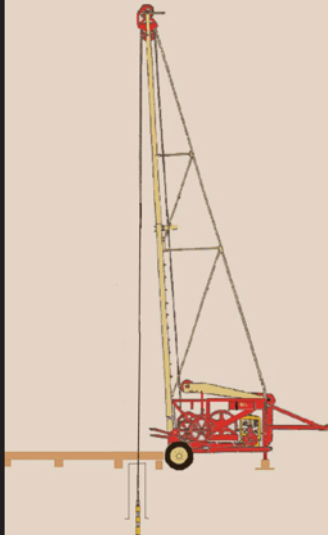
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## Obituaries

### David Leonard McKain

August 28, 2014  
Parkersburg News and Sentinel



David Leonard McKain died at his home in Parkersburg, on Aug. 25, 2014.

He was born on May 7, 1934, in Cumberland, Md.

McKain was raised in Parkersburg, was a member of Boy Scout Troop 3, and graduated from Parkersburg High School. He earned a degree in Political Science and Economics at West Virginia University

and received a scholarship from the Scottish Rite Bodies of West Virginia for Master's Degree work in Management and Economics at George Washington University. He also served in the U.S. Army, stationed in Korea 16 months.

Best known for his contributions to the West Virginia oil and gas industry, McKain made an impact throughout his career. From 1960 to 1970, he was one of three civilian executives working for the Army Chief of Staff at the Pentagon. He directed the Army's efforts to integrate the development of its information, management, computer and communication systems, heading a staff of nine Lieutenant Colonels. Upon leaving, McKain received the Army's highest civilian award, the Meritorious Civilian Service Award.

From 1970 to 1991, McKain was President and owner of Acme Fishing Tool Company, founded by his grandfather, George McKain, at the height of West Virginia's oil and gas boom in 1900. Acme was recognized nationally and internationally as a premier manufacturer of cable drilling and fishing tools.

In 1991, he founded Parkersburg Tool Company with Roger Riddle with whom he was co-owner. He retired in 2012.

Passionate about the history of Parkersburg and the oil and gas industry in West Virginia, he founded the Oil, Gas and Industrial Historical Association which includes the Oil and Gas Museum, industrial exhibits, California House, Burning Springs Park, Ritchie Mines and Henderson Hall.

He researched and co-wrote "Where It All Began," a book released in 1994. Many findings were detailed, the most significant of which proved the first commercial oil well in the world was drilled at Burning Springs, W.Va., and not in Pennsylvania. He also authored "The Civil War and Northwestern Virginia," "Parkersburg City Directory 1870-1871" and the soon-to-be-released "Foiled," which recounts the involvement of Wood County citizens in the Aaron Burr treason trial. "Where It All Began" inspired the recently released television documentary "Burning Springs."

The primary heir of Henderson Hall, high school friend Mike Ralston, trusted McKain and his associates to continue the legacy of the Henderson Family which resulted in the bequest of the Hall to the Oil, Gas and Industrial Historical Association in 2007. McKain brought his special passion to transforming the family home into a first class historical site.

McKain chaired the Civil War Roundtable which planned the commemoration of the 150th anniversary of the Civil War. Over the past few years, McKain wrote a series of articles for The Parkersburg News and Sentinel on Wood County Civil War history as part of the 150th anniversary of the war.

He was also a philatelist and postal historian and won international awards for his exhibits of Canadian Railroad Postal history. He served on the board of the British North American Philatelic Society.

McKain received many honors and awards throughout his career including Honorary Bachelor of Arts Degree West Virginia University at Parkersburg, the Independent Oil and Gas Association West Virginia Oil and Gas Man of the Year, Historic Preservation Award Wood County Historical Society, Keeper of the Flame Award Petroleum History Institute, and the Artsbridge Visionary of the Year Award. He was a member of the Rotary Club of Parkersburg, Wood County Historical Society, Independent Oil and Gas Association, West Virginia Oil and Gas Association, Southeastern Ohio Oil and Gas Association, Parkersburg Homecoming, Parkersburg Convention and Visitors Bureau, Troop 3 Committee and the Alumni Association.

He and his wife Sue enjoyed boating. They also loved music, especially classical, jazz, the A Cappella Choir and the Big Red Band. He revered his friendships and loved telling stories about his unique and exciting life experiences over dinner. His wisdom and advice have influenced many over the years. He took great joy in mentoring young people whether in the workplace or in volunteer organizations, especially with members of Troop 3.

McKain was preceded in death by his beloved wife, Sue Burke McKain; his parents, Lillian B. and Walter P. McKain; and his dear Aunt Harriet and Uncle Louis Ludlow. He is survived by his children, Margaret Grier and husband James of Boerne, Texas, Carolyn Blend of Buckhannon, W.Va., David Leonard McKain, Jr. and wife Kristen of Morgantown, W.Va., Katherine Chesley and husband David of Charleston, W.Va., and John McKain and wife Carla of Ithaca, N.Y.; grandchildren, Brian and Eric Blend, Benigno and Gabriella McKain and Jonathan Grier and wife Priscilla; step-grandchildren, Konnor and Willow Brown; great-grandson, James Grier; step-great-grandson, Gabriel Hernandez; his sister, Carolyn McKain Zwahlen of Littleton, Colo.; brother, Walter P. McKain Jr. and wife Connie of Lusby, Md.; many dear cousins, nieces and nephews; and dog, Rosey.

The family expresses its deep appreciation for the wonderful care provided by Housecalls Hospice, Home Helpers, Nancy Smith and Sandy Walker.

Gifts in remembrance of McKain may be made to the Oil, Gas and Industrial Historical Association in Parkersburg.

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## DEP sympathetic to gas drillers, but bill leaves few exemption options

By: Ken Ward Jr., Staff Writer for the Charleston Gazette, August 1, 2014

On Jan. 20, Gov. Earl Ray Tomblin announced his proposal for legislation to increase regulation of above-ground chemical storage tanks across West Virginia. It was less than two weeks after the Freedom Industries' leak that contaminated drinking water for 300,000 residents in Charleston and surrounding counties.

Despite public outrage over the water crisis, Tomblin took a cautious approach that aides said was aimed at not "overregulating" industry. The governor's proposal, crafted in part in behind-the-scenes talks with corporate lobbyists, included a long list of exemptions for whole classes of chemical storage tanks and entire industries.

With the Freedom leak fresh in their minds, many lawmakers were wary of the governor's proposal. It took two months of debate by multiple committees, but the Legislature eventually moved to mostly abandon the governor's business-friendly model. Lawmakers passed SB373, setting up a long list of new chemical tank safety mandates and giving industry limited options for avoiding new permitting and inspection requirements.

Now, House Speaker Tim Miley, D-Harrison, is taking up the cause of oil and gas drillers who want a broad exemption from the new law. Early last month, Miley urged Tomblin to somehow use executive powers to delay the bill, or to call lawmakers into special session to let oil and gas operators off the hook.

Miley, in a letter to Tomblin written six months to the day after the Jan. 9 Freedom leak, insisted that he considers "our obligation to provide clean and potable water for the citizens of our state sacred," but that state leaders also "have an obligation to avoid the excessive regulation of an industry" whose operations "pose little threat to public water intakes around our state."

"If not, lost jobs and an increase in bankruptcy filings may be the undesired result," Miley wrote in his July 9 letter to the governor.

Nearly a month after Miley's letter, the Tomblin administration is still trying to craft a concrete response.

Officials said the governor is sympathetic to the situation but has no plans for an executive order. It's not clear yet if Tomblin will consider a special session.

DEP officials say they are likewise sympathetic, but they are quick to point out that the Legislature had the chance to exempt oil and gas industry tanks from the bill and didn't, and gave agency regulators very narrow authority to create such waivers as they write a rule to implement the law.

"I don't know how much room there is," said Scott Mandirola, director of the DEP's Division of Water and Waste Management, whose office is writing the agency's rule. "A lot of these

things were discussed by the Legislature, about who should be covered and who shouldn't be covered."

Mandirola's boss, DEP Secretary Randy Huffman, said last week, "The law is what it is, and we're going to enforce it."

In writing SB373, lawmakers set up three basic mandates for above-ground chemical storage tanks:

| Operators must register their tanks with the DEP, providing information about location, size and contents

| Companies must apply for and receive permits that will spell out new safety standards for those tanks

| Tank owners must have a professional engineer perform annual safety inspections on all their tanks.

The idea was to find out where tanks were, what was in them, and ensure they were built and maintained to not leak their contents, especially into drinking water supplies.

The law defines "above-ground storage tank" to include any tank that holds more than 1,320 gallons of most types of fluids. The law requires the DEP to compile an inventory of such tanks by Oct. 1, and agency officials are in the process of doing that now, by requiring owners to register their tanks.

In his letter to Tomblin, Miley alleged, among other things, that the registration process is too time-consuming and costly for many small oil and gas operators. Miley complained, for example, about operators needing to report who owns the land where they have their chemical tanks, information Miley said is "not normally found in the files" of the operators.

Miley did not return a message seeking an interview for this report. The speaker copied his letter to Tomblin to S. Michael Shaver, president of Bridgeport-based Mountain V Oil & Gas Inc. Shaver had complained about the law's requirements in a May 21 letter to the DEP, saying he feared that "pressure to 'do something'" in the aftermath of the Freedom leak would "override a common sense approach to adopt meaningful regulation."

Continued to page 27

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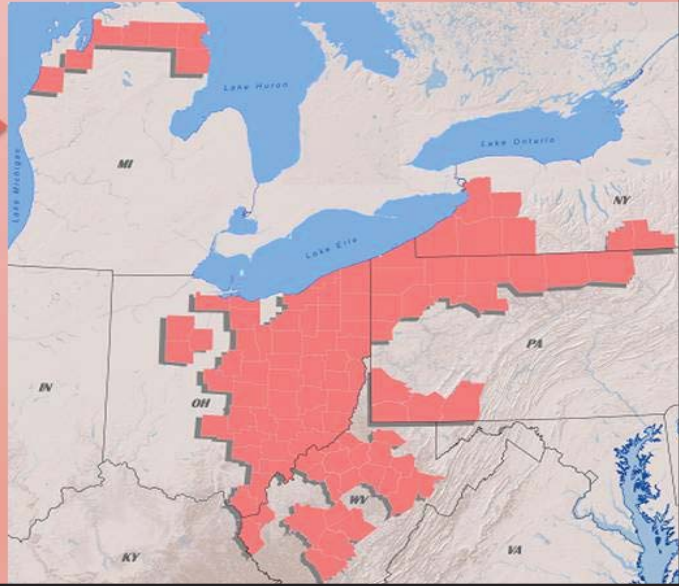


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Continued from page 24

In his letter, Miley said he was concerned about the impacts of the bill on small oil and gas drillers that have smaller — about 100 barrels or 4,200 gallons — tanks that they use to temporarily store salty brine-water, oil and other liquids from their operations.

-Such tanks are large enough to meet the new law's definition of an above-ground storage tank. However, if they are already covered by a federal "Spill Prevention, Control and Countermeasure" plan, as Miley says they are, they already are generally exempt from needing to get an additional permit under the new state law. Tanks with such plans would be required to get a state permit if they are located in a "zone of critical protection" near public drinking water intakes. Miley also complained about the potential costs of the annual engineering inspection.

The DEP's Mandirola said the law doesn't currently give the DEP a way to exempt tanks that meet the Legislature's definition from the requirement to register with the DEP. The law does allow the DEP to exempt entire categories of tanks from the state permit requirement, if the agency concludes those categories of tanks are covered by another regulatory program with safety standards similar to those in SB373, Mandirola said.

But, the ability of the DEP to create categorical exemptions doesn't appear to apply to the requirement for annual engineering inspections of all tanks. So, tanks could be exempt from permit requirements, but still have to be registered with the DEP and inspected annually, officials said.

The DEP's Huffman said last week that he agrees with much of what Miley says in his letter and is sympathetic to the oil and gas industry's concerns.

In an interview, Huffman described a gas company tank he sees frequently when he's hunting: It sits on top of a hill, inside an earthen dike, located nowhere near a public water system intake. It's old, but it's rarely full. Huffman said he's "absolutely confident" that such tanks pose little if any threat to public health or the environment, Huffman said.

Huffman and Chris Stadelman, the governor's communications director, noted that Tomblin's proposed legislation would have exempted these kinds of tanks. Tomblin's bill contained a specific exemption for "tanks that are used to store brines, crude oil, or any other liquid or similar substances or materials that are directly related to the exploration, development, stimulation, completion, or production" of oil or gas.

"The face of the bill changed significantly from the governor's bill," Huffman noted.

Lawmakers removed many of the exemptions after a hearing in which numerous DEP staff members who regulate various industries testified that they weren't sure where those exemptions came from or what the impact of the exemptions would be, and told lawmakers that existing regulatory programs don't necessarily contain the sort of engineering inspections of tanks being proposed in the new bill.

Last week, Huffman said his agency doesn't yet have a lot of data about the oil and gas industry's tanks. The DEP is still compiling its inventory. Exact locations, contents and condition of tanks haven't been gathered together yet, Huffman said. And it's possible some of these tanks have had problems in the past.

"They are old," he said, "and I am sure there are leaks associated with them, and I'm sure that, in the history of these programs, there have been a lot of leaks associated with them."

Huffman said he doesn't support "categorical exclusions," but he would consider something less drastic that would help the oil and gas industry.

One option for dealing with the oil and gas industry complaints would be to find a way to exempt tanks that aren't located in a "zone of critical concern" near drinking water intakes.

In a prepared statement responding to Gazette-Mail questions about the issue, Stadelman said the governor believes "the goals of the legislation can be accomplished without undue burden on West Virginia's businesses."

The statement said Tomblin is committed to following "the intent" of the legislation and that the DEP "is discussing and is committed to ensuring zones of critical concern receive priority so our water sources are protected."

Meanwhile, during the DEP's initial public comment period, held while agency officials drafted their first cut of a rule to implement SB373, various industry lobby groups outlined their own requests for exemptions. The West Virginia Coal Association said existing laws do enough to regulate tanks at mine sites. The state Farm Bureau is concerned about whether the law applies to certain agricultural tanks or not. The West Virginia Manufacturers Association outlined ways it believes various types of tanks should be exempt.

Environmental groups, meanwhile, are worried where the exemptions will end.

"It's important for state leaders to think very carefully about excluding large numbers of tanks from the new regulations," said Evan Hansen, an environmental consultant with the Morgantown firm Downstream Strategies. "Which tanks will be left?"

- See more at: <http://www.wvgazette.com/article/20140803/GZ01/140809900#sthash.viwqnpWG.dpuf>

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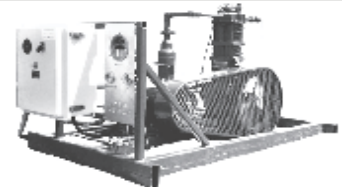
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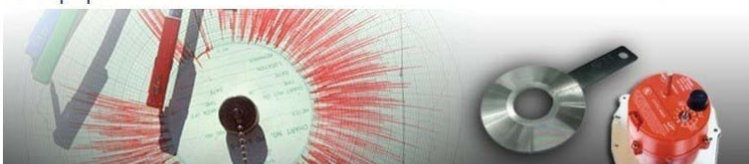
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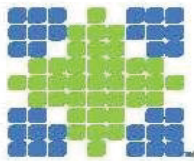
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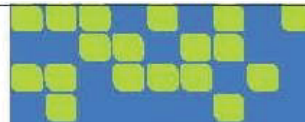
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## Storage tank registration deadline looming

August 11, 2014  
Associated Press

Charleston, W.Va. (AP) – West Virginia officials are reminding tank owners to register their aboveground storage tanks with the West Virginia Department of Environmental Protection.

Tank registration is required by October 1.

Officials say information provided during the registration process will be used to help determine where the biggest threats to public health and the environment are.

All storage containers with the capacity to hold at least 1,320 gallons of liquid, are at least 90 percent above ground and that remain at a fixed location for 60 days must be registered.

Information that needs to be submitted includes data about tank contents, location and size, as well as the age of each tank and the material it is built from.

### IMPORTANT NOTE:

If you have any problems or issues encountered in the registering of your storage tanks, please call the SOOGA office at (740) 374-3203 or email at [mail@sooga.org](mailto:mail@sooga.org).

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