

The PIOGA Press

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Pennsylvania Independent Oil & Gas Association
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DEP presses its case for RGGI with new modeling information

Lawmakers urge Wolf not to proceed during COVID-19 crisis

The Department of Environmental Protection on April 23 unveiled new modeling information intended to bolster Governor Tom Wolf's case for joining the Regional Greenhouse Gas Initiative (RGGI) carbon dioxide cap-and-trade program. DEP's virtual presentation was made during a special joint informational meeting of two of the department's advisory panels, the Air Quality Technical Advisory Committee and the Citizens Advisory Council.

DEP used the consulting firm ICF International to estimate the effects that joining RGGI would have on Pennsylvania's electricity generation, CO2 emissions within the Commonwealth and on the region's wholesale electric market coordinator, PJM Interconnection. DEP said the modeling showed Pennsylvania's participation in RGGI would result in the following:

- Emissions reductions over the remainder of the decade would be "significant."
- Pennsylvania would remain a leading electricity exporter.
- Generation within the Commonwealth would remain at near historical levels.
- Wholesale energy prices would increase slightly within Pennsylvania.
- The generation mix would continue to shift from coal to natural gas, but renewables would not increase significantly.
- Participation in RGGI would be "critical" to meeting GHG reduction goals.

An alert from PIOGA member Babst Calland, which

has closely followed Pennsylvania cap-and-trade initiatives, noted that "DEP offered relatively little data to substantiate the above claims. Its presentation did not address to any meaningful degree the effects joining RGGI will have on Pennsylvania's economy and job market, how RGGI proceeds will be reinvested, or the estimated price of electricity at the household level."

Further, Babst Calland reported, the department did not disclose the initial proposed cost for CO2 allowances, although ICF's model projected the cost would increase from approximately \$5.50 per short ton currently to more than \$7/ton in 2025. A cost-effectiveness analysis will be required before the RGGI regulation can be finalized.

The state's CO2 emissions from the power sector have been decreasing steadily over the past decade, and as the state's energy portfolio shifts further away from coal toward cleaner-burning natural gas, emissions still are projected to decline by 20 million tons between 2022 and 2030, a 25 percent drop over those eight years even without the cap-and-trade program.

Haley Book, DEP senior advisor on energy and climate, said during the virtual presentation that participation in RGGI would create an immediate drop in emissions and prevent a total of 180 million tons of carbon emissions over the same time period. "How we are look-

Continues on page 16

Cybersecurity and working remotely	3
Federal reserve expands Main Street Lending Program	4
PIOGA events update	5
Log into an upcoming free PIOGA webinar	6
PHMSA proposes new guidance on farm taps	8
Thanks to our 2020 PIOGA Partners	9
Meet the new Safety Committee co-chair	11
New video tutorial shows PIOGA member benefits	11
The Supreme Court's landmark Clean Water Act decision	12
A tool for surviving oil and gas prices in Appalachia	13
The latest from DEP	14
PIOGA board welcomes new DGOC representative	15
PIOGA Member News	15
New member	15
Oil & Gas Dashboard	16
April Spud Report	18
Calendar of events	19



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Cybersecurity and working remotely

Over the last decade, the importance of protecting businesses from cybersecurity attacks has risen. Companies have increased budgets to protect their data, but attackers continue to try to break through our virtual walls. Due to the COVID-19 pandemic, millions of people now work from their homes. The closure of non-essential businesses and the recent “stay at home” order in effect for Pennsylvania has forced businesses to transition their employees to remote work. The switch to a predominantly remote workforce can pose increased risks to businesses unless they focus attention on needed cybersecurity protocols. Taking a few introductory steps can ensure a strong foundation for maintaining cybersecurity during this unprecedented time.

First, businesses should provide basic guidance for staff on how to create a more secure remote work environment. A key initial step is to ask employees to look for the devices in their homes that are connected to the wireless home network and to ensure that those devices are secure and password-protected. Importantly, some of these devices—like cell phones, gaming devices, tablets/iPads, and wireless assistants such as Alexa, Google Home, and Siri—can be triggered to “listen” to and record conversations. This poses a business risk if confidential discussions are inadvertently recorded.

The best way to ensure these devices are not “listening” is to remove them from all office spaces. Keeping these devices updated and making sure they are all secured with unique passwords provides another layer of protection. Likewise, adding a required password to a home wireless network, or updating the default administrator password, is another key step to prevent unauthorized users from connecting to an employee’s personal network.

Second, companies should advise their employees about the increased risks of phishing and spam attacks, which become more prevalent when employees work remotely. As guidance regarding COVID-19 changes daily, scammers’ targeting becomes more sophisticated and cyberthreats arrive more frequently by email. Scammers love to take advantage of the headlines, by sending emails about coronavirus updates with links to click, which send unwary computer users to fraudulent websites.

These sites trick victims into revealing sensitive infor-

Authors:



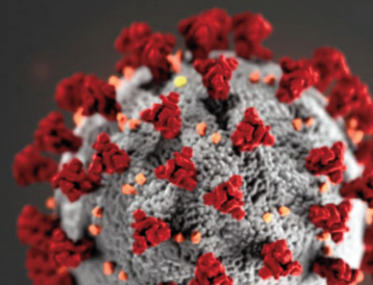
Gillian Flick



Shawn Morgan

—
Steptoe & Johnson, PLLC

Coping with COVID-19



mation, providing unauthorized access to computer systems, or donating to fraudulent charities or causes. Employees should be reminded to:

- Exercise caution in handling any email relating to COVID-19.
- Avoid clicking on links in unsolicited emails and be wary of email attachments.
- Use trusted sources such as legitimate, government websites for up-to-date information regarding COVID-19.

Third, businesses should verify that their remote, online meetings are being conducted securely. According to the National Cyber Security Centre (NCSC), multiple criminal groups have ramped up activity since January. As meetings, conferences and other events are moved online, companies face increased risks of exposure to malware and ransomware. Moreover, because most businesses have moved to online meetings via platforms such as Zoom, WebEx, Microsoft Teams, Avaya Spaces and Skype Business, heightened protections are required to ensure the privacy of business and customer data.

Chiefly, security measures must be put in place while businesses use these virtual platforms. In cases where confidential corporate information or sensitive data (like personal health information) must be discussed, it is important to remember that laws on protecting data still apply. Utilizing free accounts during this time can expose a business to a variety of negative consequences if that data is breached and/or misused. Some of these virtual platforms have reported that hackers can tap into a webcam and/or microphone without the user’s knowledge, exposing secret information. To enhance security during online meetings, companies should:

- Use a password, not just a log-in, for access to meetings.
- Require the “host” to admit meeting attendees.
- Set up the meeting to always encrypt the discussion “traffic.”
- Consider whether meetings need to be recorded, record only when necessary and delete recordings when no longer needed.

Fourth, employers should stress the need to restrict confidential information to the company’s computer network and not to personal computers or devices not connected to the company’s network. While protecting data comes at a cost, some affordable measures to implement include double authentication for signing into work systems through the use of passwords, and

the use of RSA tokens or similar means of access to the company's network. Some systems require a password and a code that is sent via text, while others call an employee's phone to provide the security of double authentication.

Finally, the most important thing a business can do is to create a "see something, say something" culture by encouraging employees to report any suspicious emails so that others may be on the lookout as well. Sending test emails to employees to make sure they follow proper procedure is another way for a company to protect itself. ■

As we navigate these new remote ways of working and con-

ducting business, it is important to review applicable policies, procedures and protocols to ensure that you are keeping information secure. The Steptoe & Johnson Cybersecurity Team, led by Shawn Morgan (shawn.morgan@steptoe-johnson.com), understands data privacy and cybersecurity laws and regulations, and the need for robust corporate compliance. This team can assist businesses navigating these uncharted waters by helping companies to revamp their data privacy policies, by addressing security incidents and data breach responses when those circumstances arise, and by ensuring that businesses fulfill their compliance obligations.

COVID-19 business relief

Federal Reserve announces expansion of Main Street Lending Program

The Federal Reserve Board on April 30 announced it is expanding the scope and eligibility for the Main Street Lending Program. The Federal Reserve developed the Main Street Lending Program to help credit flow to small and medium-sized businesses that were in sound financial condition before the pandemic.

When the initial terms of Main Street were announced, the board indicated that, because the financial needs of businesses vary widely, it was seeking feedback from the public on potential refinements. More than 2,200 letters from individuals, businesses, and nonprofits were received. Considerable input came from the oil and gas industry.

"Oil and natural gas producers are not looking for a government handout; they are seeking a bridge to help survive this economic disruption," wrote Barry Russell, president and CEO of the Independent Petroleum Association of America, asking the Federal Reserve to allow smaller companies to use these loans to pay off their debt.

Providing loans to "pay off outstanding debts coming due before this crisis subsides will be the bridge to recovery for businesses that would have otherwise been able to meet their debt obligations, were it not for the virus," Russell indicated.

In response to the public input, the Federal Reserve decided to expand the loan options available to businesses, and increased the maximum size of businesses that are eligible for support under the program. The changes include:

- Creating a third loan option, with increased risk sharing by lenders for borrowers with greater leverage;
- Lowering the minimum loan size for certain loans to \$500,000; and
- Expanding the pool of businesses eligible to borrow.

Under the new loan option, lenders would retain a 15 percent share on loans that when added to existing debt do not exceed six times a borrower's income, adjusted for interest payments, taxes, and depreciation

and other appropriate adjustments. This compares to the existing loan options where lenders retain a 5 percent share on loans, but have different features. Under all of the loan options, lenders will be able to apply their industry-specific expertise and underwriting standards to best measure a borrower's income. In total, three loan options—termed new, priority and expanded—will be available for businesses.

Additionally, businesses with up to 15,000 employees or up to \$5 billion in annual revenue are now eligible, compared to the initial program terms, which were for companies with up to 10,000 employees and \$2.5 billion in revenue. The minimum loan size for two of the options was also lowered to \$500,000 from \$1 million. With the changes, the program will now offer more options to a wider set of eligible small and medium-size businesses.

The Federal Reserve Board indicated it recognizes the critical role that nonprofit organizations play throughout the economy and is evaluating a separate approach to meet their unique needs.

The Main Street Lending Program was established under Section 13(3) of the Federal Reserve Act, with approval of the Treasury secretary. The Treasury will provide \$75 billion for the program using funds from the Coronavirus Aid, Relief and Economic Security Act. A start date for the program had not yet been announced as this issue was being finalized.

For more information, visit www.federalreserve.gov/monetarypolicy/mainstreetlending.htm. ■

**Visit PIOGA's COVID-19
Response Page for key
updates and industry
resources**

pioga.org/pioga-and-covid-19-response

PIOGA events update

Ted Cranmer Memorial Outing moved to October

Unfortunately, due to the COVID-19 pandemic and current restrictions on large gatherings, we must reschedule the Ted Cranmer Memorial Golf Outing and Steak Fry to Thursday, October 8. The event originally was set for June 1. It is our hope that things will have returned to something more like "normal" by October and that the beautiful autumn foliage will be on full display at Wanango Country Club in Reno.

If you already registered or sponsored, PIOGA staff will be in contact to inquire whether you want to keep your registration or prefer a refund.

This annual event is in honor of the long-time PIOGA and POGAM board member who died in 2016. The success of the Wanango outing was one of Ted's passions for 10 years, and the event raised thousands of dollars to benefit the association's mission. We are pleased to



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continue to honor Ted's legacy with this popular event and hope you still will come and enjoy a day of golf and camaraderie with the great folks in our industry.

Needless to say, the coronavirus crisis has been playing havoc with PIOGA event scheduling. Below is the current status of our events over the next several months. Please check the PIOGA Events section at pioga.org for the latest on all of 2020's events.

► **Sporting Clays Networking Event, July 9, Promised Land Sporting Clays Club, Freeport**

This event was rescheduled from early May, and we are hoping that restrictions on large gatherings have eased by the time the new date rolls around.

► **PIOGATech training – Transportation Safety Regulations Compliance, July 21, The Chadwick, Wexford**

Another event that was rescheduled from March, the training will cover Federal Motor Carrier Safety Administration safety regulations compliance.

► **PIOGATech training — Water and Waste Management, August 19, The Chadwick, Wexford**

This is consistently our best-attended training of the year, and organizers from PIOGA's Environmental Committee already are hard at work on a stellar agenda.

Times
like these
are why
we're here.

The public health and economic crisis posed by the COVID-19 pandemic will continue to have a substantial impact on cash flows and revenues. Business owners and individual borrowers must be ready to meet the resulting financial challenges, and Campbell & Levine's attorneys have over 100 years of combined experience helping its clients navigate wisely through such situations.

Campbell & Levine has extensive insolvency experience in the oil and gas industry, ranging from Chapter 11 restructurings and out-of-court workouts to creditors' rights and is available to provide you with an informed understanding of your legal rights and obligations, and an explanation of the practical implications and options.

To learn more, contact Paul Cordaro at pcordaro@camlev.com or 412-261-0310, x1128.

Best wishes to all for good health.

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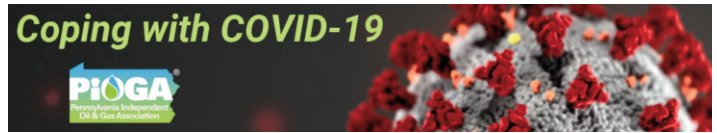
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► **23rd Annual Divot Diggers Golf Outing, August 20, Tam O'Shanter of Pennsylvania Golf Course, Hermitage**

For over two decades, this popular golf outing has benefitted the work of the organization in the environmental arena. The day includes golf, an amazing number of prizes and a delicious steak dinner.

► **Fall Conference, Golf and Clay Shoot, September 22-23, Seven Springs Mountain Resort, Champion**

PIOGA's Spring Meeting in April had to be postponed, but our Program Committee is working to roll together



the program from that event and our traditional fall conference into a must-attend meeting. As usual, there will be sporting clays and golf on Seven Springs' outstanding facilities, plus plenty of other fun networking opportunities. ■

Log into an upcoming PIOGA webinar, free to members

Since COVID-19 social-distancing orders have been preventing us from holding in-person events lately, PIOGA has been offering no-cost webinars to the membership.

PIOGA and member company Wolf Consulting are teaming up to present **"IT Best Practices for Challenging Times,"** an hour-long webinar beginning at 12:30 p.m. on Thursday, May 14.

For over 30 years, Wolf Consulting has been the region's leader in computer support and cloud services for small and mid-sized businesses. As a proud PIOGA member, Wolf is honored to host a webinar on cybersecurity, remote/virtual collaboration and other best practices to ensure business continuity.

The webinar will cover best practices in cybersecurity

including:

- Layered security
- Guarding the internet gateway
- Multi-Factor Authentication
- Creating a human firewall
- Security policy design and implementation
- Backup and disaster recovery

Also addressed will be best practices for remote/virtual collaboration:

- Virtual meeting tools
- Document sharing and collaboration
- Rapid communication—internal and external
- Supporting the remote workforce

To learn more and register, visit the PIOGA Events section at pioga.org.

Sustainable Energy Pathways series

With the help of the Market Development Committee, we recently launched a webinar series called *Sustainable Energy Pathways*. The first was held on April 30 and featured a presentation titled "2020 Alternative Fueling Opportunities & Future Demand Projects" by William Sapon, Senior Clean Energy & Transportation Advisor for Peoples Gas. If you missed it, a recording of the presentation is available by visiting our Members Only site, members.pioga.org.

The second installment of the series takes place Wednesday, May 20, from 11:30 a.m. to 12:15 p.m. and will feature Rick Price, Executive Director of Pittsburgh Region Clean Cities, talking about **"2020 Alternative Fueling Opportunities & Future Demand Projects."** Watch your email for registration information or visit members.pioga.org. ■

The advertisement for Ernst Seeds features a photograph of a lush, green grassy field under a blue sky with scattered clouds. In the bottom right corner, there is a logo for 'ERNST SEEDS' that includes a stylized green plant. Below the logo, the text 'ernstseed.com' is displayed, followed by 'sales@ernstseed.com' and the phone number '800-873-3321'. To the left of the logo, there are icons for Facebook, LinkedIn, Twitter, Instagram, and YouTube. A circular seal on the bottom left indicates 'HOLLAND APPROVED'.

This advertisement has a solid green background. It begins with the text 'Link up with us:' in white, followed by 'PA Independent Oil & Gas Association (PIOGA)' in bold white text. Below this, the word 'Linked' is written in large, bold black letters, and the 'in' logo is shown in white inside a blue square.



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PHMSA proposes new guidance for farm taps

On April 20, the Pipeline and Hazardous Materials Safety Administration (PHMSA) published a request for comments on proposed frequently asked questions (FAQs) for the regulation of farm taps under 49 C.F.R. Parts 191 and 192. The proposed FAQs come nearly two years after the agency posted, and then withdrew, an earlier set of farm tap FAQs on its website. Consistent with the Department of Transportation's policy on guidance documents, PHMSA is seeking public comment before finalizing the latest version of the farm tap FAQs. The deadline for submitting comments is June 19.

Why did PHMSA issue the proposed FAQs?

The regulatory status of farm taps has generated significant controversy in the past decade. In 2010, PHMSA issued FAQs for the new Distribution Integrity Management Program (DIMP) regulations stating that the DIMP requirements applied to farm taps, even though that issue had not been specifically discussed or addressed during the rulemaking process. The agency defended that position in the years that followed, but eventually allowed operators to choose to include farm taps in a DIMP plan or follow the three-year periodic inspection requirement for regulators and overpressure protection equipment.¹

In January 2018, PHMSA published a set of new FAQs for farm taps on its website. The FAQs addressed a range of topics, including the new three-year periodic inspection requirements, annual reporting requirements, operator identification number (OPID) requirements, regulatory status of existing farm taps and those installed prior to 1960, operator qualification, definitional clarifications, and excess flow valve installation. After receiving significant adverse feedback, the agency withdrew the farm tap FAQs for further review and development. Then in March 2019, the agency issued an Announcement of Enforcement Discretion stating that owners and operators could choose whether to address farm taps under the three-year periodic inspection requirements in 49 C.F.R. § 192.740 or under DIMP requirements.

Authors:



Keith J. Coyle



Ashleigh H. Krick

—
Babst Calland

PIOGA seeks member input

The association encourages members with farm taps to review this article as well as PHMSA's proposed FAQs (see accompanying link). If you have feedback about the proposal, please contact Kevin Moody at kevin@pioga.org so we can determine whether to develop formal comments on behalf of the membership. PIOGA also recommends that affected member companies consider submitting their own comments. The *Federal Register* notice below includes instructions for commenting.

Further information

- **Federal Register announcement and request for comments** — www.govinfo.gov/content/pkg/FR-2020-04-20/pdf/2020-07922.pdf
- **PHMSA proposed farm tap FAQs** — downloads.regulations.gov/PHMSA-2019-0131-0001/attachment_1.pdf

As discussed in more detail below, the agency's proposed farm tap FAQs address all the significant developments from the past decade.

What do the proposed FAQs cover?

The following important topics are covered in the proposed farm tap FAQs:

• **What is a farm tap?** Citing the Part 192 definition of service line, PHMSA states that a farm tap is a distribution service line if any portion "transports gas from a common source of supply to an individual customer, to two adjacent or adjoining residential or small commercial customers, or to multiple residential or small commercial customers served through a meter header or manifold," regardless of whether a sale of gas occurs.² However, the agency also recognizes that a farm tap may be used to refer to other piping applications that do not satisfy the service line definition, including where customer-owned piping connects directly to the first isolation point or the farm tap meets the definition of a transmission line.

• **Where does a farm tap begin and end?** In an important clarification, PHMSA explains that a farm tap service line "begins at the first point where the downstream service line can be isolated from source piping (e.g. the inlet to a valve or regulator...)" and "terminates at the outlet of the customer's meter or the connection to a customer's piping, whichever is further downstream." Some of the agency's other guidance in recent years had suggested that the service line classification begins at the tap on the mainline or source piping in a farm tap configuration. Note that PHMSA's clarification indicates that the valve or regulator at the first isolation point is part of the distribution service line, not the source piping.

• **What reporting and notification obligations**

¹ Pipeline Safety: Exercise of Enforcement Discretion Regarding Farm Taps; 84 Fed. Reg. 11,253 (Mar. 26, 2019); Pipeline Safety: Operator Qualification, Cost Recovery, Accident and Incident Notification, and Other Pipeline Safety Changes, 82 Fed. Reg. 7,972 (Jan. 23, 2017).

² 49 C.F.R. § 192.3.

apply to farm tap operators? If a farm tap is a regulated service line, PHMSA states that the operator must obtain an OPID and submit a distribution annual report form, including operators of production and unregulated gathering lines. PHMSA also explains that only the operator of the service line downstream from the first isolation point is responsible for reporting the service line in its annual reports, and that the most-downstream entity operating the service line is responsible for notifying farm tap customers of their responsibility to maintain customer-owned buried piping under § 192.16(a).

• **What are PHMSA's expectations with respect to testing farm taps under 49 C.F.R. § 192.740?** PHMSA states that the three-year inspection requirement in § 192.740 for pressure regulating, limiting, and overpres-

sure protection devices applies to all service lines that directly connect to production, gathering or transmission lines, and which are not part of a distribution system, regardless of installation date. The agency clarifies that the regulation does not require testing regulators for lockup, and that other methods may be used to comply with the regulation. PHMSA also explains that operators can use any practicable method to test regulators with an internal relief, so long as the method is documented in the operator's O&M Manual. The agency provides examples of practicable methods, such as installing a test port and then a valve downstream from the regulator with an internal relief.

• **What design and installation requirements apply to service-line farm taps?** Consistent with the non-retroactivity requirement in the Pipeline Safety Act,

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pioga.org/publication_file/2020-PIOGA-Partners.pdf

PHMSA acknowledges that a farm tap installed prior to March 12, 1971, does not need to be redesigned to meet the requirements in § 192.197. However, the agency notes that if the regulators are modified or replaced after the effective date in § 192.13(b) then the affected components must meet the requirements of § 192.197. PHMSA also notes that operators of service-line farm taps must meet the excess flow valve requirements in § 192.381, 192.383, or 192.385, as applicable.

• **What are other requirements operators should be aware of?** PHMSA states that an operator of a service line must comply with all applicable requirements in Parts 191 and 192. The agency notes that production or unregulated gathering operators with regulated service-line farm taps are required to comply with the operator qualification requirements in Subpart N for covered tasks performed on the regulated service line and prepare an O&M Manual with respect to the regulated service line. PHMSA also notes that states with certified pipeline safety programs may adopt additional safety regulations applicable to farm taps.

What are the implications of PHMSA's proposed farm tap FAQs?

The long-running effort by interested stakeholders to clarify the agency's farm tap policy continues to produce results. After hearing the industry's concerns with the 2010 DIMP FAQs, particularly the effect of requiring interstate transmission operators and production and unregulated gathering operators to apply DIMP to farm taps, PHMSA added an exception that allowed operators to comply with the three-year inspection requirements in § 192.740 instead of the DIMP regulations.³ The agency also issued a notice of enforcement discretion in response to continued industry concerns that allows operators to manage farm taps under either § 192.740

³ Operator Qualification, Cost Recovery, Accident and Incident Notification, and Other Pipeline Safety Changes, 82 Fed. Reg. 7,972 (Jan. 23, 2017).

or DIMP, which remains in effect today. Finally, the latest version of the proposed farm tap FAQs seeks to accommodate many of the concerns that industry expressed with the prior farm tap FAQs and other recent guidance documents, including with respect to the classification of source or mainline piping and the applicability of certain requirements in the Part 192 regulations. The industry has the opportunity to further influence these FAQs in the pending comment period.

Notably, PHMSA is no longer taking the position that the service line starts at the tap on the mainline in a farm tap configuration. Instead, the FAQs state that the service line starts at the first isolation point (the inlet of the valve or regulator) downstream from the source or mainline piping. That clarification is very important because the agency's prior guidance indicated that operators had to treat all piping downstream from the tap as a distribution service line in a farm tap scenario, even if all of the other piping in the system was production, gathering, or transmission. Treating all piping downstream from the tap as part of a distribution service line would have imposed significant compliance burdens on operators without producing any meaningful benefits.

PHMSA has never actually analyzed the costs, benefits or other impacts of applying the gas distribution service line regulations to farm taps. The agency has never added a definition of a farm tap to Part 192 or instituted a specific rulemaking proceeding to acknowledge the status of farm taps as gas distribution service lines. Rather, PHMSA adopted that position in letters of interpretation, guidance documents, and through other rulemakings. Operators have the opportunity to provide cost data to PHMSA through this docket, which would invite the agency to consider such data before issuing final FAQs.⁴

PHMSA notes in the request for comments that as part of the agency's regulatory review process, it is considering changes to the requirements in § 192.740 due to industry comments that PHMSA had underestimated the costs of compliance with the three-year inspection requirements and that existing DIMP requirements, in conjunction with other current requirements such as leak surveys, could provide an equivalent level of safety. PHMSA previously indicated during public meetings that farm taps would be included in the Gas Pipeline Regulatory Reform proposed rule, which is currently under review at the Office of Management and Budget and will likely be published by the agency in the coming months.⁵ ■

⁴ See "Memorandum on the Review and Clearance of Guidance Documents," available at www.transportation.gov/sites/dot.gov/files/docs/regulations/328566/gen-counsel-mem-guidance-documents-signed-122018.pdf.

⁵ PHMSA, Pipeline Safety: Regulatory Agenda (Nov. 14, 2019), primis.phmsa.dot.gov/meetings/FilGet.mtg?fil=1075; Office of Information and Regulatory Affairs, Executive Order Submissions Under Review (Apr. 21, 2020), www.reginfo.gov/public/do/eoReviewSearch.

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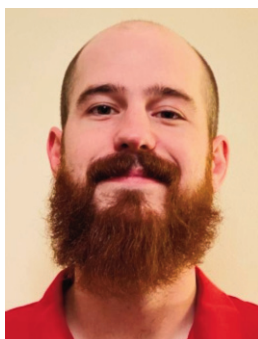
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Meet the committee's new co-chair

My name is Eric Staul, EHS Specialist with Diversified Gas and Oil. I am also the newly appointed co-chair of the PIOGA Safety Committee.

I come from a construction background, where I spent two years traveling the U.S. providing safety oversight on construction sites. I have been in the oil and gas industry for two years now with DGOC, where I provide trainings, take on accident/incident investigation and building/field safety inspections, among other duties. I am currently in pursuit of my Master of Science in Occupational Safety and Health through Columbia Southern University.

With PIOGA, I am honored to be able to be a part of the Safety Committee and hope to bring involvement and ideas to what the committee has already become. In the coming months it is the committee's hope that we provide insight on up-to-date topics involving health and safety as well as increasing participation in our quarterly safety meetings. ■



Learn more about the PIOGA Safety Committee by going to members.pioga.org and clicking on the Committees link at the top of the page. To join the committee, email Deana McMahan at deana@pioga.org. **The next meeting will be held by webinar/conference call on Wednesday, May 13, starting at 8:30 a.m.**

New to PIOGA membership? Tutorial video shows how to access benefits & resources



Getting acquainted with all of the benefits and resources an association offers can be daunting. To fully take advantage of all that's now available to you as a PIOGA member, we have put together a new 13-minute video highlighting PIOGA benefits and resources. We hope you find this tutorial helpful as you learn to navigate all the resources available to you.

For existing members, this video can serve as a refresher to ensure you're taking advantage of all that PIOGA provides.

To access the video, visit the membership portal, members.pioga.org, and click on the blue Benefits Overview button at the top right side of the page.

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Potential Clean Water Act Liability extends to discharges to groundwater that reach surface water

On April 23, the Supreme Court, in a landmark decision, ruled that in certain circumstances discharges of pollutants through groundwater to navigable waters could be required to have an NPDES permit under the Clean Water Act (CWA). While the court remanded the *Hawai'i Wildlife Fund v. County of Maui* litigation to the Ninth Circuit to reconsider the specific issue of injected wastewater that reached the Pacific Ocean through lava tubes, it more broadly provided a new "functional equivalent" test to address whether the CWA requires an NPDES permit when pollutants originating from a point source are conveyed to navigable waters by a nonpoint source, such as groundwater.

Justice Stephen Breyer, writing for the 6-3 majority, held that an NPDES permit is required "when there is a direct discharge from a point source into navigable waters or when there is the *functional equivalent* of a direct discharge" (emphasis added). The court's new test for CWA liability has far-reaching implications, creating potential exposure for agency permitting and enforcement and citizen suit pressure under many scenarios where pollutants may intentionally or

unintentionally enter surface water by way of groundwater through Class V injection wells, pipeline leaks, spills and releases to ground, waste impoundments/lagoons, existing groundwater contamination, leaking underground storage tanks and even septic tanks.

New "test" creates more questions than clarity

Subjective, conflicting interpretations of the new "functional equivalent" test are inevitable. Focusing primarily on considerations of time and distance, Justice Breyer offered the following two contrasting examples of how the test might be applied: (1) "where a pipe ends a few feet from navigable waters and the pipe emits pollutants that travel those few feet through groundwater (or over the beach), the permitting requirement clearly applies; and (2) "if a pipe ends 50 miles from navigable waters and the pipe emits pollutants that travel with groundwater, mix with much other material, and end up in navigable waters only many years later, the permitting requirements likely do not apply."

The court offered that other factors, including the following, "may prove relevant," depending on the specific circumstances:

- The nature of the material through which the pollutant travels;
- The extent to which the pollutant is diluted or chemically changed as it travels;
- The amount of pollutant entering the navigable waters relative to the amount of the pollutant that leaves the point source;
- The manner by or area in which the pollutant enters the navigable waters; and
- The degree to which the pollution (at that point) has maintained its specific identity.

The court also acknowledged that application of this test is not clear, offering that there are "too many potentially relevant factors applicable to factually different cases for this Court now to use more specific language." Rather, the court seemingly opened the door for interpretations by the lower courts, encouraging them to "provide guidance through decisions in individual cases," and, where appropriate, to "mitigate any hardship or injustice when they apply the statute's penalty provision."

The court also looks to the U.S. Environmental Protection Agency (EPA) to provide "administrative guidance" through issuance of individual permits and promulgation of general permits. However, there is a tension relying on current EPA guidance given the conflict between the court's "functional equivalent" test and EPA's April 23, 2019 *Interpretive Statement*, under which the agency considers releases of pollutants to groundwater to be categorically excluded from CWA permitting

Authors:



Lisa M. Bruderly, Esq.



Kevin J. Garber, Esq.

—
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requirements. EPA plans to provide additional guidance in response to the court's opinion.

Dissenting, Justice Samuel Alito captured the frustration and uncertainty likely to be felt by many in the regulated community when he wrote: "If the Court is going to devise its own legal rules, instead of interpreting those enacted by Congress, it might at least adopt rules that can be applied with a modicum of consistency. Here, however, the Court makes up a rule that provides no clear guidance and invites arbitrary and inconsistent application."

Path forward for regulated entities is unclear

With similar matters currently before several circuit and district courts, interpretations of the "functional equivalent" test are expected to vary greatly, creating more confusion for entities that could now be subject to CWA liability, even if they are already regulated under a federal and/or state program. For example, in the *County of Maui* case, the injection wells were approved by EPA and the Hawaii Department of Health and had been operating since the 1970s. Similarly, the court's ruling creates the potential for claims by agencies and citizens groups, even when, for example, groundwater remediation projects with potential surface water connections, are being conducted under a state or federally approved cleanup plan.

The ruling also creates interesting questions as to whether a court could hold an entity liable for not obtaining an NPDES permit when the discharge to surface water through groundwater is caused by a spill. For example, in *Kinder Morgan Energy Partners, L.P. v. Upstate Forever*, a pipeline ruptured and, though promptly repaired with state cooperation, resulted in residual gasoline in the soil and groundwater. The Fourth Circuit upheld a citizens' suit action, concluding that the continued seepage of gasoline into surface water constitutes an "ongoing violation" of the CWA, even if the NPDES point source (i.e., the pipeline) is no longer releasing the pollutant. In deciding this matter, the Fourth Circuit examined whether pollutants in groundwater enter surface water by a "direct hydrological connection." In response to a petition for writ of certiorari from the Fourth Circuit decision, the Supreme Court on May 4 vacated the Fourth Circuit's judgment and remanded the matter for further consideration based on the *County of Maui* decision (i.e., the "functional equivalent" test). This remand demonstrates that, at this time, the Supreme Court does not intend to hear additional arguments regarding CWA liability for groundwater discharges. ■

Babst Calland continues to analyze the practical effects of the new "functional equivalent" test and is able to assist in evaluating how it may affect your operations and/or plans for development. If you have questions about the Supreme Court ruling or water-related matters in general, please contact Lisa M. Bruderly at 724-910-1117 or lbruderly@babstcalland.com or Kevin J. Garber at 412-559-5223 or kgarber@babstcalland.com.

Surviving oil and gas prices in Appalachia

Solutions to cut costs and do more with less

**By Martin Shumway, Technical Director
Locus Bio-Energy Solutions**

The oil and gas industry is in trouble, hit with both minimized demand due to COVID-19 shutdowns and an oil price war between Saudi and Russia. Oil and gas prices, in inflation-adjusted terms, are the lowest in decades. We are all in full-on survival mode where every dollar counts. Everyone is asking a key question: What can be done to minimize operating costs while still generating maximum production revenue?

In Appalachia, rig counts continue to drop, with the U.S. Energy Information Administration reporting a 50-percent decrease over the past decade. Drilling and completions activity is slowing due to current pricing, meaning to survive this downturn oil and gas operators need to keep existing wells producing as efficiently and inexpensively as possible. There's a novel technology that can help.

Biosurfactants. You've probably heard the word or seen them deemed a top new oilfield technology for flow assurance, production enhancement and completions. To quickly summarize, biosurfactants are a special class of surfactants (the backbone of many of the drilling and production chemical programs currently in use). They outperform synthetic chemicals in performance, but at much lower costs. They are also green and 100-percent sustainable. These solutions can improve ESG compliance, but how can they make an impact on an oil and gas operator's profit in these times?

Let's look at the top four ways to cut expenses using biosurfactants:

- 1. Reduce treatment volume, cost and application frequency.** Biosurfactants need a fraction of the dosage rate and have unique absorption and desorption qualities that extend their performance over time when used in new completions, recompletions and enhanced oil recovery treatments of existing wells. By using biosurfactants as a replacement or even an additive to your current chemistries, you can significantly cut down on dosage rates and frequency—ultimately reducing expenditures and increasing performance.
- 2. Eliminate unnecessary operating expenses.** Shut ins, well failures. Every minute a well is down you're losing money, and these LOE challenges can put a big dent in producer revenues. Biosurfactant-based formulations have been successfully shown to reduce paraffin accumulation downhole and in flowlines, and have also been shown to outperform xylene and other commercial paraffin dispersants—keeping wells performing efficiently.
- 3. Maximize oil recovery and significantly**

extend the lifespan of wells. As oil and gas operators reduce drilling and completion expenditures, they must do more with less.

Biosurfactants offer a multitude of remediation and production benefits to get the most out of existing wells, including preventing ongoing paraffin buildup, increasing permeability, mobilizing otherwise immobile oil and providing sustained production increases.

- 4. Ensure rapid treatments results and maximize efficacy.** Time is of the essence and operators can't wait around for results. You need solutions that will work right now *and* give the best outcome. Biosurfactant treatments can be

customized to your specific well characteristics—formation mineralogy and fluids, paraffin type, salinity, etc.—to maximize performance.

Every dollar counts right now, and biosurfactants will help you maintain financial stability and function within operational cashflows. ■

Locus Bio-Energy Solutions is an award-winning, Ohio-based oil innovation company that can create a biosurfactant treatment program customized to sustainably increase oil and gas production, minimize operating costs and reduce the need for new drilling. Contact 855-503-0080 or oilinfo@locusbio.com.

The latest from DEP's Oil and Gas News Line

The Oil and Gas News Line is an occasional email newsletter from the Department of Environmental Protection's Office of Oil and Gas Planning and Program Management. The newsletter is sent to oil and gas operators who have a registered email account with the DEP Office of Oil and Gas. You can sign up here: signup.e2ma.net/signup/1892226/1790186.

Here are the items included in the latest edition.

New look to GreenPort. Users soon will notice a change to the "Self-Registration" screens within DEP's GreenPort application. The functionality and process for users to self-register and receive access rights from their Electronic Filing Administrator (EFA) did not change, only the look and flow of the new screens. A user guide will be available within the application to assist users with the changes.

Operator well inventory requirements. Oil and gas operators are encouraged to routinely compare their well inventory to the DEP Oil and Gas Well Inventory Report on the Oil and Gas Reports webpage. This is strongly recommended before operators submit required electronic reports such as production, waste and mechanical integrity assessment.

Under applicable Pennsylvania law, the current operator of a well must have a valid permit or registration to lawfully operate an oil or gas well. If you sold a well, purchased a well, or if the status of a well has changed (for example, if it has been plugged), and this information does not display as you think it should in the DEP Oil and Gas Well Inventory Report, contact the DEP Oil & Gas District office where the well is located and request the proper forms to update your information to resolve these issues. DEP must receive proper documentation to update records, ownership or well status. All forms should be submitted to the DEP Oil & Gas District offices for the county in which the well is located.

Fast approaching grant application deadline. The Orphan or Abandoned Well Plugging Program (OAWP) grant application period which opened on February 1 will close on May 31. Competitive grants awarded under the OAWP may be used to plug orphan and abandoned

wells for which no responsible party exists and that have the potential to cause health, safety or environmental concerns. Other eligible projects include installation of well vents and stray gas mitigation systems. The maximum grant value has been raised to \$1 million, which is four times higher than in previous years. There is a \$100 application fee. More information can be found at the Commonwealth Financing Authority's website, dced.pa.gov/programs/orphan-abandoned-well-plugging-program-oawp.

ePermitting updates. Information about the latest updates to the ePermitting application can be located at dep.pa.gov under Data and Tools and then ePermitting Release Notes. The release notes page details enhancements, new or modified functionality, as well as any bug fixes within the electronic permitting application for all programs and are organized by month the enhancements were released.

Updates to fact sheets and other miscellaneous permits and forms. Updates to DEP's eLibrary (www.depgreenport.state.pa.us/elibrary) include the following:

- Unconventional Shale Development - 8000-FS-DEP4217
- Erosion and Sediment Control and Stormwater Management Requirements for Oil & Gas Activities - 8000-FS-DEP4216
- How to Apply For Orphan/Abandon Commonwealth Financing Authority (CFA) Well Plugging Grant - 8100-FS-DEP4622
- Notice of Intention by Well Operator to Plug A Well - 8000-FM-OOGM0005
- Certificate of Well Plugging - 8000-FM-OOGM0006
- Abandoned Well Classification - 8000-PM-OOGM0050
- Orphan Well Classification Request and Instructions - 8000-PM-OOGM0077

If you have questions related to the items above, contact the Bureau of Oil and Gas Planning and Program Management in Harrisburg at 717-772-2199 or email RA-ep-BOGMOGRE@pa.gov. ■

PIOGA board welcomes new Diversified Gas & Oil representative

Paul M. Espenan has been named as the representative for Diversified Gas & Oil Corporation on the PIOGA Board of Directors. He serves as Diversified's Vice President of Environmental Health and Safety and has more than 30 years' knowledge as an EHS professional and over two decades of exposure in the oil and gas industry.



After starting his career as a legal assistant in environment and occupational law, Paul held various EHS positions at Halliburton, Burlington Resources and LINN Energy, and most recently served as President of the EHS Management Consulting firm Inspiritus Group. A Certified Safety Professional (CSP), he received a Bachelor of Science degree in Environmental Health at Louisiana State University and a Master of Science in Environmental Science at the University of Texas at Dallas.

Paul joins the PIOGA board following the retirement of Jack Crook. ■

pad and massively reduce water disposal costs without facing new regulatory hurdles.

"We are pleased with the formal acceptance from the PADEP. VOX is now ready for use on-pad, just in time, as our customers face now, more than ever, a challenging environment in which to operate profitably," said Gregg Johnson, CEO. He further added that:

"We are excited to see the positive response from our customers and are looking forward to scaling up our operating fleet in the Marcellus region. This solution will present a win-win for the Operators as well as for the local community" said Johnson, noting that on-pad evaporation reduces local truck traffic because of the decreased need for hauling produced water to disposal sites. ■

New PIOGA member — welcome!

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PIOGA Member News

EWS achieves permitting breakthrough with evaporation technology

Evaporative technology leader Energy Water Solutions (EWS) announced it has received formal acceptance of its airborne emissions testing from the Pennsylvania Department of Environmental Protection for its VOX Evaporation Technology. As a result of its extremely low emissions, VOX now can be immediately deployed for commercial use at oil and gas production pads in the Pennsylvania portion of the Marcellus formation.

EWS's patented "evaporation in a box" (VOX™) technology evaporates produced water from production sites into the atmosphere with very low emissions. VOX is mobile, has a small footprint and is capable of evaporating produced water significantly cheaper when compared to hauling it to a disposal site. In today's low-priced oil and gas environment, where water disposal costs are one of the most expensive components of production, VOX technology will bring sorely needed relief to the industry.

The approval of the low emissions tests for the VOX by DEP means operators can immediately add VOX on-

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ing at this is it's really less about the delta from where Pennsylvania ends up in 2030 and more about all the emissions savings that are occurring between now and then," Book said.

RGGI sets a limit on carbon emissions from power plants, which must purchase a credit for each ton of carbon dioxide they emit. The states already involved in RGGI include Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island and Vermont. Virginia also plans to join.

Book said projections show that under RGGI Pennsylvania electricity generation would decline slightly while wholesale prices would rise by 3 percent, StateImpact Pennsylvania reported.

The projections do not factor in the money paid by carbon-emitting power plants that could be reinvested in energy projects. They also do not assume a significant increase in renewable energy sources, and RGGI participation does not guarantee more reliance on renewables like solar or wind.

DEP intends to proceed with the RGGI rulemaking despite the ongoing COVID-19 crisis and the economic upheaval it has caused. The proposal is scheduled to be presented to the Environmental Quality Board on July 21 for a vote on whether to adopt it as a proposed rulemaking. If it is adopted, public comment and hearings will begin in September and the final rulemaking could be promulgated by fall 2021. PIOGA intends to participate in the public-comment process.

To learn more about Pennsylvania's proposed participation in RGGI, visit www.dep.pa.gov/Citizens/climate/Pages/RGGI.aspx. The April 23 presentation and webinar are available under the Special Joint Informational Meeting heading, and the draft rule itself can be downloaded as "Draft PRN CO2 Budget Trading Annex A" under the May 7 Air Quality Technical Advisory Committee Meeting. Also see the March issue of *The PIOGA Press*.

Legislative opposition

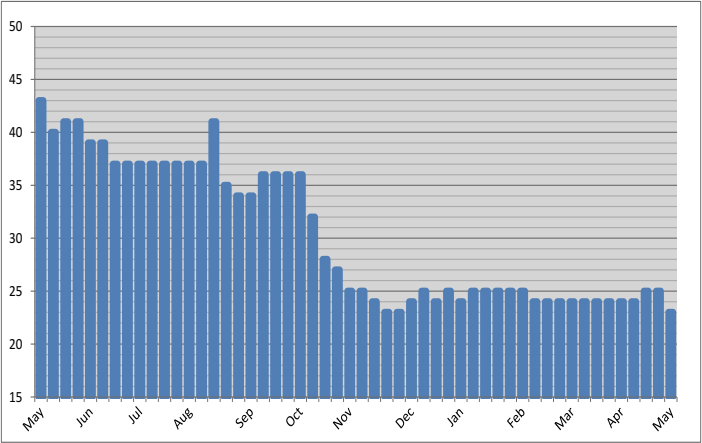
On April 14, Representative Daryl Metcalfe, chairman of the House Environmental Resources and Energy Committee, sent a letter to DEP Secretary Patrick McDonnell urging the department to "commit to being part of the solution in aiding our economic recovery efforts, instead of being an obstacle and allowing businesses to get caught up in bureaucratic red tape" during the coronavirus pandemic.

"As far as the department's staff resources, Metcalfe continued, "DEP should be focusing all its resources on maintaining essential operations during this time, primarily including issuing permits in a timely fashion to businesses that have requested them. No department staff time should be devoted to pursuing partisan objectives such as the governor's scheme to join the Regional

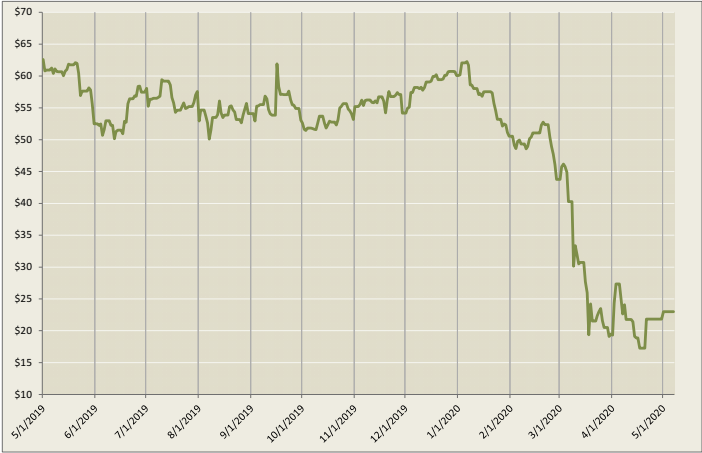
Continues on page 18

Oil & Gas Dashboard

Pennsylvania Rig Count



Penn Grade Crude Oil Prices



Natural Gas Futures Closing Prices

Month	Price
June	\$1.917
July	2.131
August	2.205
September	2.264
October	2.345
November	2.574
December	2.898
January 2021	3.034
February	2.985
March	2.849
April	2.553
May	2.519

Prices as of May 7

Sources

American Refining Group: www.amref.com/Crude-Prices-New.aspx
 Ergon Oil Purchasing: www.ergon.com/prices.php
 Gas futures: quotes.imo.com/exchanges/?r=NYMEX_NG
 Baker Hughes rig count: phx.corporate-ir.net/phoenix.zhtml?c=79687&p=irol-report-sother
 NYMEX strip chart: Nucomer Energy, LLC, emkeyenergy.com

Northeast Pricing Report – May 2020

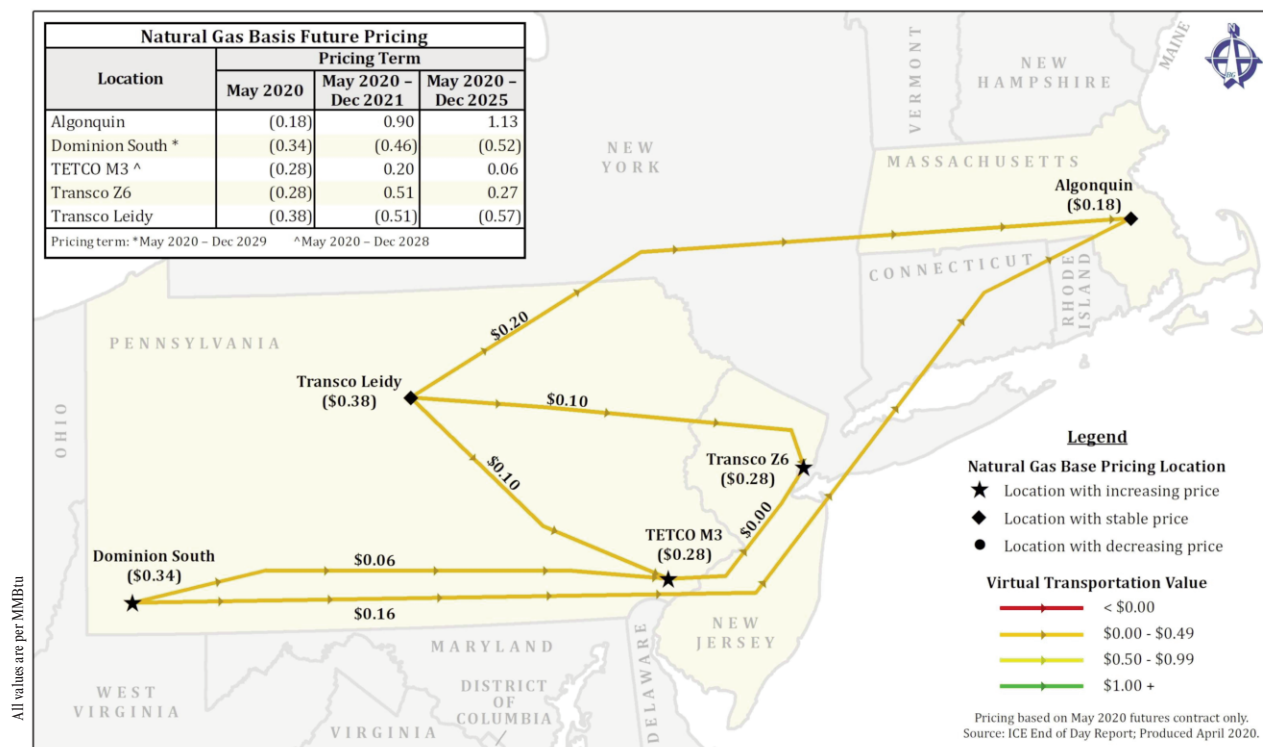
While crude has reached historic lows, natural gas continues to plod along. Henry Hub pricing has been staying below \$2.00 per MMBtu but at least it has not turned negative. For the northeastern region, basis pricing has strengthened. Algonquin is the only index whose front month decreased. TETCO M3 and Dominion South increased the most at \$0.11 and \$0.10 per MMBtu respectively. The one-year rolling term traded similarly. Transco Leidy was the only index to decrease, while Transco Z6 increased by \$0.10 per MMBtu. The remaining three trading points increased slightly. Basis pricing was mostly flat for the long-term. Algonquin had the largest decrease of \$0.04 per MMBtu, while Transco Z5 had the largest increase of \$0.01 per MMBtu.

After three months of decreasing transportation values, the market saw some growth. That being said, transportation has little value. Transco Leidy to TETCO M3, Transco Leidy to Transco Z6, and Dominion South to TETCO M3 increased in value by \$0.04, \$0.01, and \$0.01 respectively. Dominion to Algonquin, Transco Leidy, and TETCO M3 to Transco Z6 all continued to decrease in value by \$0.12, \$0.09, and \$0.03 per MMBtu respectively. Weather does not seem likely to help for the rest of May. While there has been some earlier warmer weather, temperatures in the Northeast are expected to be below average until at least the middle of the month. There may be some help in decreased supply. Production has fell 0.3 Bcf per day during the last 10 days of April according to S&P Global.

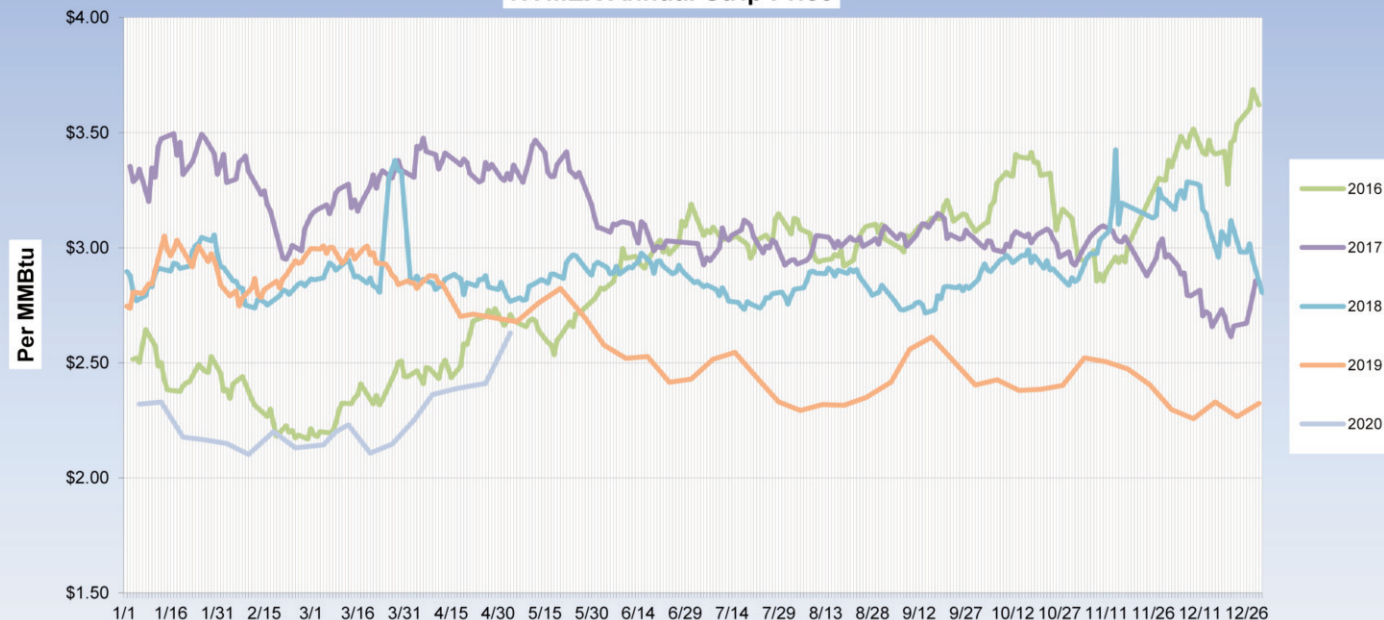
Transportation Value Market Indicator



Provided by Bertison-George, LLC
www.bertison-george.com



NYMEX Annual Strip Price



Spud Report: April 2020



The data show below comes from the Department of Environmental Protection. A variety of interactive reports are

available at www.dep.pa.gov/DataandTools/Reports/Oil and Gas Reports.

The table is sorted by operator and lists the total wells reported as drilled last month. **Spud** is the date drilling began at a well site. The **API number** is the drilling permit number issued to the well operator. An asterisk (*) after the API number indicates a conventional well.

OPERATOR	WELLS	SPUD	API #	COUNTY	MUNICIPALITY
Cameron Energy Co	3	4/24/20	123-48387*	Warren	Sheffield Twp
		4/17/20	123-48391*	Warren	Sheffield Twp
		4/3/20	123-48444*	Warren	Sheffield Twp
Chesapeake Appalachia LLC	7	4/28/20	015-23540	Bradford	Wyalusing Twp
		4/28/20	015-23541	Bradford	Wyalusing Twp
		4/28/20	015-23542	Bradford	Wyalusing Twp
		4/28/20	015-23543	Bradford	Wyalusing Twp
		4/30/20	115-22658	Susquehanna	Auburn Twp
		4/8/20	131-20607	Wyoming	Windham Twp
Chief Oil & Gas LLC	5	4/8/20	131-20608	Wyoming	Windham Twp
		4/13/20	015-23572	Bradford	Franklin Twp
		4/13/20	015-23573	Bradford	Franklin Twp
		4/13/20	015-23574	Bradford	Franklin Twp
		4/13/20	015-23575	Bradford	Franklin Twp
CNX Gas Co LLC	8	4/13/20	015-23576	Bradford	Franklin Twp
		4/13/20	059-27942	Greene	Richhill Twp
		4/13/20	059-27943	Greene	Richhill Twp
		4/13/20	059-27944	Greene	Richhill Twp
		4/13/20	059-27945	Greene	Richhill Twp
		4/13/20	059-27946	Greene	Richhill Twp
		4/13/20	059-27947	Greene	Richhill Twp
		4/13/20	059-27953	Greene	Richhill Twp
EQT Prod Co	6	4/13/20	059-27954	Greene	Richhill Twp
		4/15/20	059-27968	Greene	Wayne Twp

OPERATOR	WELLS	SPUD	API #	COUNTY	MUNICIPALITY
Rice Drilling B LLC	7	4/15/20	059-27969	Greene	Wayne Twp
		4/16/20	059-27970	Greene	Wayne Twp
		4/15/20	059-27971	Greene	Wayne Twp
		4/15/20	059-27972	Greene	Wayne Twp
		4/16/20	059-27973	Greene	Wayne Twp
		4/29/20	059-27974	Greene	Whiteley Twp
		4/29/20	059-27975	Greene	Whiteley Twp
		4/29/20	059-27976	Greene	Whiteley Twp
		4/29/20	059-27977	Greene	Whiteley Twp
		4/29/20	059-27978	Greene	Whiteley Twp
SWN Prod Co LLC	3	4/29/20	059-27979	Greene	Whiteley Twp
		4/29/20	059-27980	Greene	Whiteley Twp
		4/7/20	081-21794	Lycoming	Jackson Twp
		4/7/20	081-21830	Lycoming	Jackson Twp
		4/6/20	081-21831	Lycoming	Jackson Twp

	April	March	February	January	December	November
Total wells	39	50	46	77	60	30
Unconventional Gas	36	45	42	74	51	23
Conventional Gas	0	0	0	0	0	0
Oil	3	3	2	3	5	7
Combination Oil/Gas	0	1	2	0	4	0
Disposal	0	1	0	0	0	0

RGGI modeling *Continued from page 16*

Greenhouse Gas Initiative (RGGI) during this unique time.

"Now is not the time to continue plowing forward with blatantly partisan and illegitimate regulatory efforts such as RGGI, which will further harm Pennsylvania's workers and our business community," he continued. "Proceeding would indicate that you are more concerned with attaining divisive political objectives and adhering to an artificial timeline in an attempt to implement this proposed regulation as quickly as possible rather than with serving the citizens and businesses of the Commonwealth during this challenging time."

Meanwhile, in an April 21 letter to the governor, 18 Republican senators, including the chamber's leadership, reiterated their opposition to Pennsylvania joining the Regional Greenhouse Gas Initiative, which they say would lead to additional economic hardship as the state grapples with the coronavirus pandemic's impact on businesses and livelihoods.

"Since the execution of Executive Order No. 2019-7, the world economy, and certainly Pennsylvania's economy, has been dramatically reshaped with the ongoing COVID-19 pandemic. In the past month, we have witnessed 20% of our workforce apply for unemployment compensation benefits, and to date, our state has not reopened," the senators wrote. The executive order cited in the letter directs DEP to develop regulations for Pennsylvania's participation in RGGI.

"Should [DEP] continue on the current regulatory path to implement a carbon dioxide budget trading pro-

gram it will only add to that suffering as power plants and the businesses that supply them will likely be forced to shut down, and the communities that they support will experience additional unnecessary pain," the senators wrote.

On May 5, a bipartisan group of 58 members of the House of Representatives sent a letter to the governor urging him end the RGGI initiative in light of the COVID-19 crisis.

"As DEP's ICF modeling results prove, RGGI will cause significant harm and the impacts on Pennsylvania communities will be felt immediately and indefinitely," the representatives wrote. "Yet, in 2030, and according to ICF, regional CO2 levels will remain largely unchanged. These facts, combined with the inability of these communities' and workers' voices to be heard for the foreseeable future, we urge you to consider this request to rescind Executive Order 2019-7 immediately and to direct DEP to halt its regulatory proceedings. Doing so will remove a significant point of disagreement between your Administration and the General Assembly in the months ahead and, instead, will enable all of us to focus our time and effort toward overcoming the devastating impacts from COVID-19 to the Pennsylvania economy."

The PLS Reporter indicated that a spokesperson for Wolf said that the administration "is not considering suspending the implementation of RGGI in Pennsylvania." ■

Calendar of Events

PIOGA events

Information: pioga.org > PIOGA Events

Due to uncertainty surrounding the COVID-19 crisis, please check the event page for any changes to events and event dates.

IT Best Practices for Challenging Times

May 14, free webinar for PIOGA members

Sustainable Energy Pathways Series: 2020 Alternative Fueling Opportunities & Future Demand Projects

May 20, free webinar for PIOGA members

Sporting Clays Networking Event

July 9, Promised Land Sporting Clays Club, Freeport

Rescheduled from May 7

PIOGATech: Federal Transportation Safety Regulations Refresher

July 21, The Chadwick, Wexford. *Rescheduled from March 17*

PIOGATech: Water and Waste Management

August 19, The Chadwick, Wexford

23rd Annual Divot Diggers Golf Outing & Steak Fry

August 20, Tam O'Shanter of PA Golf Course, Hermitage

Fall Conference, Golf Outing and Sporting Clays

September 22-23, Seven Springs Mountain Resort, Champion

Ted Cranmer Memorial Golf Outing & Steak Fry

October 8, Wanango Country Club, Reno

Rescheduled from June 1

PIOGATech: Safety Topic

October 22, TBA

Annual Oil & Gas Tax and Accounting Seminar

November 18, Holiday Inn Express, Canonsburg/Southpointe

Marcellus to Manufacturing Conference

November 12, Pittsburgh location TBA

PIOGATech: Environmental Topic / Holiday Mixer

December 15, The Chadwick, Wexford

Other association & industry events

Ohio Oil & Gas Association Summer Meeting

July 13-14, Glenmoor Country Club, Canton, OH

www.ooga.org/events

The Great Gathering (GGVII)

July 15, Hilton Inn Garden Inn, Southpointe

www.greatgathering2020.com

Rescheduled from March 18; PIOGA member discount

PIOGA Case knife

To commemorate PIOGA's 100th anniversary, we commissioned this knife from W.R. Case & Sons Company in Bradford. The limited edition, collector quality knife and wooden display box feature our Centennial logo. It makes a great gift! Only a few are left. Get yours before they're gone at members.pioga.org.



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Danielle Boston (danielle@pioga.org), Director of Administration

Deana McMahan (deana@pioga.org), Administrative Assistant & Committee Liaison

Pennsylvania Independent Oil & Gas Association

115 VIP Drive, Suite 210, Wexford, PA 15090-7906

724-933-7306 • fax 724-933-7310 • www.pioga.org

Harrisburg Office (Kevin Moody)

212 Locust Street, Suite 300, Harrisburg, PA 17101

717-234-8525

Northern Tier Office (Matt Benson)

167 Wolf Farm Road, Kane, PA 16735

Phone/fax 814-778-2291

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