The PIOGA Press

The monthly newsletter of the Pennsylvania Independent Oil & Gas Association

February 2022 • Issue 142

Pennsylvania General Assembly off to a fast start

When state lawmakers returned to session in January, they got off to a quick start, advancing several bills of interest to Pennsylvania's oil and natural gas industry.

Energy-supply choice. A proposal that garnered considerable media attention was House Bill 1947, which prohibits municipalities from:

• Adopting policies that restrict or prohibit, or has the effect of restricting or prohibiting, the connection or reconnection of a utility service based on the type of energy to be delivered to an individual consumer within the municipality; and/or

• Discriminating against a utility service based on the nature or source of the utility service.

The bill is designed to preempt efforts to restrict the use of fossil fuels that have taken root in states, cities and counties elsewhere.

"Some major U.S. cities have enacted or have proposed laws to ban or curb the use of fossil fuels in new homes and buildings," said the bill's sponsor, Representative Tim O'Neal (R-Washington). "It is important that people have the opportunity to choose their energy source and that a wide variety of options are available. By enacting this law, Pennsylvania would join states such as Arizona, Texas, Oklahoma, Tennessee, Kansas and Louisiana in preserving choice."

The legislation clarifies it does not affect the authority of a municipality to "take steps designed to reduce greenhouse gas emissions from municipal facilities and operations, including purchasing renewable energy."

HB 1947 passed the House January 26 on a 118-83 vote. The bill now heads to the Senate, which approved companion legislation sponsored by Senator Gene Yaw (R-Lycoming) in late October. Senate Bill 275 passed that chamber on a vote of 35-15 and is in the House Local Government Committee.

(Note: See the accompanying article about February's edition of Just the Facts for more on this subject.)

Royalty owner legislation. Legislation aimed at ensuring royalty owners are afforded a clear assessment of payments made to them through lease agreements with oil and natural gas operators unanimously cleared the state Senate on January 26.

"My legislation would not impact lease agreements, but it would require entities making payments to landowners to provide more description, clarity and uniformity on their royalty check statements," said the sponsor of SB 806, Senator Gene Yaw (R-Lycoming). "This proposal is designed to help ensure all parties feel

Continues on page 3

Legislative update *Continued from page 1*

their lease agreements are executed as intended, and it will help mitigate concerns that have developed in recent years. It also provides for summary statements, should a landowner choose to receive one, as well as timely payment requirements."

PIOGA supported the bill after an amendment was approved addressing some of our concerns about the required timing of payments. SB 806 now moves to the House of Representatives, where PIOGA will continue to monitor its progress to ensure that both producers and their landowner partners are treated equitably.

Using renewable energy credits for well plugging. Senator Yaw's SB 945 would require the state to sell any credits created by government-owned renewable energy projects and use the money to plug abandoned oil and gas wells. The bill would allocate proceeds from the sale of alternative energy credits to the Commonwealth Financing Authority to create a fund to plug abandoned wells. Yaw's office estimates selling credits from the state's solar projects could raise nearly $11 million each year.

The bill was approved by the Senate Environmental Resources and Energy Committee on January 26 and referred to the Appropriations Committee.

Percentage depletion. Also at the end of January, the House approved a bill to bring the way Pennsylvania tax code treats percentage depletion for oil and gas the same as under federal tax law. HB 199 passed the House by a vote of 118-82 and was referred to the Senate Finance Committee. ■

Wolf vetoes anti-RGGI resolution, but lawmakers say fight is not over

As expected, Governor Tom Wolf on January 10 vetoed a concurrent resolution disapproving a rulemaking that paves the way for Pennsylvania to join the Regional Greenhouse Gas Initiative (RGGI).

Concurrent Regulatory Review Resolution 1 was passed under a state law that allows the General Assembly to block a proposed regulation by approving such a resolution in both the Senate and House of Representatives *(January PIOGA Press, page 3).*

"While the Republican-controlled General Assembly has failed to take any measures to address climate change, by joining RGGI, my administration will take a historic, proactive, and progressive approach that will have significant positive environmental, public health and economic impacts," Wolf said in his veto message.

The governor also contended that the regulations his administration crafted will allow Pennsylvania to join RGGI under the authority of the Air Pollution Control Act—contrary to the opinion of the majority of members of the General Assembly—and also that the legislature missed the deadlines for passing its resolution blocking the rules enabling the Commonwealth to join the multi-state CO2 cap-and-trade program aimed at fossil fuel-powered electricity generators.

Senate Republicans quickly announced they would vote to override Wolf's veto. "As the third-largest energy producer and second-largest producer of natural gas in the U.S., no other state has more to lose economically than Pennsylvania by joining the Regional Greenhouse Gas Initiative," the Senate GOP caucus said in a statement. "The governor's stance on joining RGGI will result in the loss of good-paying jobs and harm our state's economy. The Senate Republican Caucus remains steadfast in our position and plans to take steps to override the governor's actions."

There was no immediate announcement of when lawmakers would mount their override attempt, which would require a two-thirds majority in both chambers. At the same time, the RGGI regulations cannot be implemented until the override process is completed. And failing that, a legal challenge is anticipated, which could possibly delay matters until a new governor is elected this fall and Wolf leaves office in early 2023.

"This fight is far from over," Senator Joe Pittman (R-Indiana) commented. "We will continue to explore all legislative and legal options to avoid allowing a lame-duck governor from making such a unilateral and illegal action by imposing a tax without our consent."

The General Assembly majority and the governor have been at loggerheads over RGGI since 2019, when Wolf issued an executive order directing the Department of Environmental Protection to draft rules that would make Pennsylvania the 11th state in the RGGI program, the only member that is a major fossil-fuel producer and the only state to join without legislative authorization. PIOGA and other opponents have insisted that RGGI's required participation in a carbon auction amounts to a tax that only the legislature is authorized to impose.

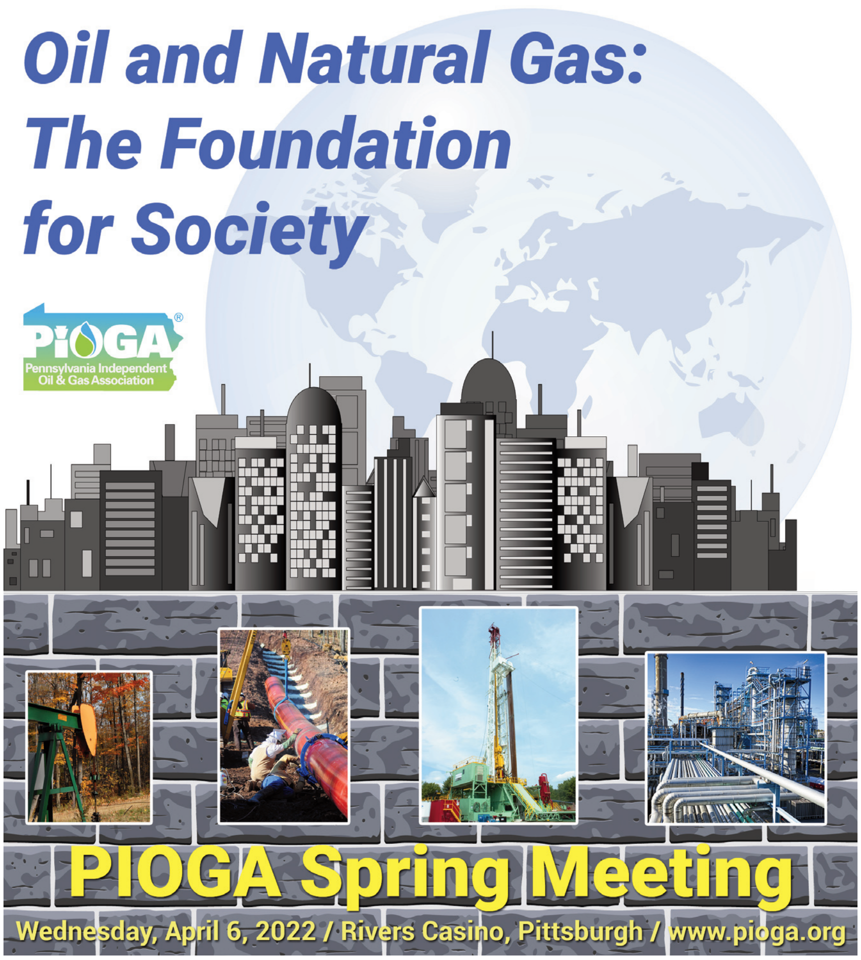
Update: Administration sues to force publication

On February 3, the Wolf administration filed suit in Commonwealth Court in an attempt to force publication of the RGGI rulemaking in the *Pennsylvania Bulletin.* The suit is aimed at the Legislative Reference Burau, the agency that publishes the *Bulletin.* Publishing the regulation would mean it takes immediate effect. ■

PIOGA's online Career Center

Did you know that our website offers the ability for companies to post open positions? To help in your employee recruitment efforts, go to pioga.org and click on Careers.

Oil and Natural Gas: The Foundation for Society



We hope you will join us for PIOGA's Spring Meeting—*Oil & Natural Gas: The Foundation for Society*—as we showcase the importance of this industry to our society for more than 160 years. Attend and learn how oil and natural gas is the basis for our world—providing the critical building blocks in the form of energy and products for our lives, all the while significantly contributing to our economy and providing American jobs.

Don't miss this year's 2022 Spring Meeting & Exhibition on Wednesday, April 6, at Rivers Casino, featuring presentations from top experts addressing issues that impact your business and our industry's ability to delivery safe, affordable and reliable energy for our state and our nation. Presenters will address today's key challenges in the areas of regulatory, legislative, market development and business climate. In addition, the event will again feature an exclusive vendor exhibit area and, as always, plenty of time for networking.

Agenda

Registration opens at 7:45 a.m. The program kicks off at 8:45 and lasts until 5 p.m., followed by a networking reception and casino time until 7. Below are speakers confirmed as of the beginning of February. Be sure to visit www.pioga.org > PIOGA Events for additional presenters, including our opening, lunch and closing speakers.

- **Conference Open & Welcome** – Gary Slagel, Steptoe & Johnson PLLC and PIOGA Chairman of the Board
- **Panel Discussion: The New Era of ESG** – panelists (confirmed): Donald Racey, Engage Energy & Industrial Consulting, Inc.; Matt Tourigny, Deep Well Services; moderator: Michael Flowers, Steptoe & Johnson PLLC
- **Energy Security: Why You Are the Vulnerability** – Robert Ragan and Josephine Syring, CUSTOS IQ LLC
- **Pennsylvania Regulatory Update** – Scott Perry, Esq., Pennsylvania Department of Environmental Protection
- **Finding, Hiring and Retaining the Next Generation of Energy Industry Employees** – Michael Parker, Blackrock Resources
- **Environmental Year in Review and Outlook for 2022** – Kevin Garber and Jean Mosites, Babst Calland
- **LNG Marine Bunkering Capabilities & Use Cases** – Jim Devine, REV LNG
- **Innovation in the Appalachian Energy Industry: Now and Next** – Katie Klaber, Shale POWER

Pittsburgh's Rivers Casino

- **Pennsylvania Gubernatorial & U.S. Senate Races: Who's In and What's Coming Up** – James Lee, Susquehanna Polling & Research, LLC

Registration

Registration is open now, and you can save by taking advantage of early-bird pricing in effect until March 1. The cost for PIOGA members is $300 and $375 for nonmembers, a savings of $75 off the regular rates. A special student rate is available too. (Participants must be 21 years of age or older and present valid photo ID to enter the facility.)

Exhibitor and sponsor opportunities

The event again features an exclusive vendor exhibit area that allows your company to showcase its products and services and meet face-to-face with attendees. By exhibiting at the Spring Meeting your company will get great visibility and have the ability to network and make business connections.

New this year! Exhibitors get more networking time with the attendees during the evening cocktail reception that will be held in the exhibit area from 5 to 7 p.m.

Twenty-five spaces are available on a first-come, first-served basis. Until March 1, early-bird prices are $1,000 for PIOGA members and $1,250 for nonmembers. For any spaces remaining after that date, the cost goes up $250.

Exhibitor registration includes two conference registrations along with lunch and the networking reception, a 6-foot table and two chairs, and recognition as a Bronze-level sponsor.

Sponsoring the Spring Meeting allows your company the opportunity to market to and network with hundreds of oil and gas executives and operations staff in the upstream and downstream sectors. There is a sponsorship level—both exclusive and general—for every budget. Be sure to check the event page of our website for the complete list of levels and features.

Register now

Make you plans now to attend! The event takes place in the spacious Events Center at Rivers Casino on Pittsburgh's North Shore. It's easy to get to and parking is free. If you're coming from out of town, PIOGA has secured a special rate at the nearby Hyatt Place, and our event page lists other hotels in the vicinity as well.

Find out more at www.pioga.org/event/spring-meeting-2022. We look forward to seeing you there! ■

Cigar mixer kicks off PIOGA's 2022 networking events

Everyone had a great time January 27 at our cigar networking event held at BURN by Rocky Patel on Pittsburgh's North Shore. Our thanks go out to those who participated and to the sponsors who helped make the fun possible. For more photos of the event, visit the Photo Galleries section at www.pioga.org

PIOGA
Pennsylvania Independent Oil & Gas Association

2022 Cigar Networking Event Sponsors

EVENT SPONSORS

ENGAGE Energy & Industrial Consulting
ENDEAVOR Professional Services | Engineering & Design
Jefferson County Development Council – Serving Your Business Needs!
Keystone Clearwater Solutions
The Reschini Group
Sommer Energy Technologies
USA Compression

CIGAR SPONSORS

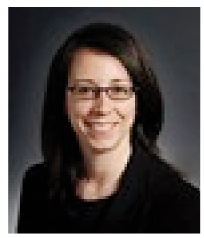
Billman Geologic
Eastern Construction & Excavating Inc. – Slip Repair Experts 1-866-FIX-SLIP

PIOGA Diversity Committee's first Lunch & Learn for 2022

On January 25, more than 20 people attended virtually the Diversity Committee's first Lunch & Learn of 2022, entitled "Cultural Competence."

Deana Stephens of Steptoe & Johnson PLLC, the committee's chair, kicked off the event by introducing Kaitlin Robidoux, also with Steptoe & Johnson, and giving background on the Harvard Implicit Bias online tests. Kaitlin gave an engaging, hour-long presentation on Cultural Competence. She got the group thinking about how they can be open to learning and accepting different cultures using real-life stories and examples. Her slides also touched on things like ways diversity adds value to the workplace and in society. She ended the by opening the Lunch & Learn to the participants to ask questions and share stories of their own.

Deana Stephens



Kaitlin Robidoux

If you are interested in taking the anonymous Harvard implicit bias tests, go to https://app-prod-03.implicit.harvard.edu/implicit/takeatest.html.

PIOGA extends a sincere thank-you to Deana Stephens on her efforts to bring the Diversity Committee's awareness in a new and positive light. Stay tuned for more Lunch & Learn webinars this year. ■

Coming March 9: Axes & Ales!

Dig out your flannel, because one of our most enjoyable networking events is back. Axes & Ales takes place Wednesday, March 9, at Lumberjaxes Axe Throwing in the Millvale area of Pittsburgh.

The cost of $80 per person for PIOGA members and $110 for nonmembers includes axe throwing, food and two drink tickets. Sponsorships are available too.

The deadline to register is March 2. Visit www.pioga.org > PIOGA Events for all the details. ■

Safety Committee Corner

First-Aid/CPR/AED training

Registration closes soon for a February 24 PIOGATech training covering first aid, cardio-pulmonary resuscitation (CPR) and automated external defibrillator (AED) use. Participants who successfully complete the training, will earn a certification that satisfies OSHA-mandated job requirements, workplace or other regulatory requirements and is valid for two years.

From personalized learning to interactive scenarios to peer-to-peer learning and hands-on skill practice, the course will be taught by certified Instructors from PIOGA member companies. The training will provide the knowledge and skills to ensure you can perform life-saving care when it's needed most. Be prepared to act when emergencies arise to be one who can spring into action when trouble strikes to help people in the "minutes that matter."

The event is hosted by the PIOGA Safety Committee and takes place at the RLA Learning and Conference Center, Cranberry Township. The deadline to register is February 15. Go to www.pioga.org > PIOGA Events for more information. ■

Recent updates on Nationwide Permits and waters of the United States, with more expected

Authors:

Lisa M. Bruderly, Esq.

Evan M. Baylor, Esq.

—

Babst Calland

The U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers have recently issued updates regarding Nationwide Permits (NWPs) under Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act of 1899, as well as a new proposed definition of waters of the United States (WOTUS). More developments on both subjects are anticipated in 2022 from these agencies, as well as from the U.S. Supreme Court.

On December 27, 2021, the Corps published a final rule reissuing 40 existing NWPs and issuing one new NWP (Water Reclamation and Reuse Facilities) (86 Fed. Reg. 73522). Broadly, NWPs authorize certain work in streams, wetlands and other WOTUS when those activities will result in no more than minimal individual and cumulative adverse environmental effects. This final rule rounds out NWP rulemaking activities that began in September 2020, when the Corps, under the Trump administration, proposed to reissue the 52 existing NWPs and issue five new NWPs.

As background, in January 2021, the Corps modified and reissued 12 of the existing NWPs and issued four of the five proposed NWPs. The January 2021 final rule also revised and reissued the NWP general conditions and definitions. The focus of that rule was largely to revise and reissue NWPs that relate to the energy industry, including the division of existing NWP 12 (Utility Line Activities) into three NWPs, depending on the type of utility line: oil and natural gas pipeline activities (NWP 12), electric utilities and telecommunications (NWP 57), and utility lines for water and other substances (NWP 58). The December 2021 rule does not address these 16 NWPs that were finalized in January 2021.

This December 2021 reissuance makes relatively minor changes to several NWPs, including NWP 13 (Bank Stabilization) and NWP 27 (Aquatic Habitat Restoration, Enhancement and Establishment Activities). It also states that the NWPs will be subject to the general conditions and definitions included in the January 2021 rule, making the general conditions and definitions for all NWPs consistent. Previously, these NWPs had been subject to the general conditions and definitions in effect in 2017.

The NWPs in this rule replace the 2017 versions of those permits and complete the rulemaking process to reissue all of the NWPs. These NWPs go into effect on February 25 and will expire on March 14, 2026, consistent with the expiration date of the NWPs that were reissued in January 2021.

More NWP changes expected in 2022

The Biden administration intends to reevaluate the NWPs later this year. According to the Fall 2021 Unified Agenda of Regulatory Actions, the Corps is planning a comprehensive rulemaking in 2022 to reexamine all NWPs issued in 2021 "to identify NWPs for reissuance, modification, or issuance, in addition to identifying potential revisions to general conditions and definitions in order to be consistent with Administration policies and priorities." Changes to the NWP program are expected to undo Trump administration revisions, which, arguably expanded the permits' applicability, and also address climate change and environmental justice concerns.

The Corps stated that it is considering whether additional steps should be taken to ensure the NWP program aligns with the Biden administration's policies and priorities, including Executive Order 13990, "Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis." This order directs agencies to review and address regulations from the previous administration that conflict with national objections to improve public health and the environment. Further, this order directs agencies to prioritize environmental justice. According to Assistant Secretary of the Army for Civil Works Michael L. Connor, "The [Corps] will also be reviewing the overall NWP program to ensure consistency with the administration's policies, including the need to engage affected communities."

Changes to WOTUS

The Corps and EPA published a proposed revision to the WOTUS definition on December 7 (Rule 1), with the public comment period closing on February 7. This proposed definition is similar to the pre-2015 definition of WOTUS, with updates to reflect relevant Supreme Court decisions (e.g., *Rapanos v. United States*) that occurred in the early 2000s. In *Rapanos*, Justice Scalia issued the plurality opinion, holding that WOTUS would include only "relatively permanent, standing or continuously flowing bodies of water" connected to traditional navigable waters, and to "wetlands with a continuous surface connection to such relatively permanent waters." Justice Kennedy, however, advanced a broader interpretation of WOTUS in his concurring opinion, which relied on the concept of a "significant nexus," and stated that wetlands should be considered as WOTUS "if the wetlands, either alone or in combination with similarly situated lands in the region, significantly affect the chemical, physical, and biological integrity of other covered water." The December 2021 proposed WOTUS definition would incorporate Justice Kennedy's significant nexus test into the regulations.

The impact of the December 2021 proposed WOTUS definition is generally not expected to be significant because, under the current definition of WOTUS, the

Corps, in most jurisdictions, has been relying on 2008 guidance which also considers Kennedy's significant nexus test. However, the Biden administration intends additional (potentially more expansive) revisions to the WOTUS definition in a second rulemaking (Rule 2). Broadly, the more expansive the definition of WOTUS, the more waters that are federally regulated, and the more likely that surface water impacts from a project will require Section 404 permitting. The increased amount of impacts to federally-regulated waters may result in a project exceeding NWP or state programmatic permit (e.g., PASPGP-6) thresholds and requiring an individual Section 404 permit.

As stated in the Fall 2021 Unified Agenda, "[t]his second rule proposes to include revisions reflecting on additional stakeholder engagement and implementation considerations, scientific developments, and environmental justice values. This effort will also be informed by the experience of implementing the pre-2015 rule, the 2015 Clean Water Rule, and the 2020 Navigable Waters Protection Rule."

U.S. Supreme Court agrees to hear WOTUS case

In addition to planned WOTUS changes by the Biden administration, the U. S. Supreme Court, in January 2022, signaled that it would weigh in on the WOTUS debate, when it agreed to hear the case of *Sackett v. USEPA*. In *Sackett*, landowners in Idaho have a longstanding challenge to an administrative order issued against them for allegedly conducting fill activities without a Section 404 permit. Much of the Sacketts' arguments pertain to whether the wetlands in question were appropriately delineated as WOTUS by applying Justice Kennedy's significant nexus test in *Rapanos*.

In 2021, despite the Sacketts' arguments, the Ninth Circuit held that the "significant nexus" test in the Kennedy concurrence was the controlling opinion from *Rapanos*. The Sacketts petitioned the U.S. Supreme Court to consider whether *Rapanos* should be revisited to adopt the plurality's test for wetland jurisdiction under the CWA. However, the court agreed instead to consider the narrow issue of whether the Ninth Circuit "set forth the proper test for determining whether wetlands are 'waters of the United States.'" The Supreme Court's decision as to whether Justice Kennedy's concurring opinion is controlling will be very significant in future interpretations of WOTUS.

With expected WOTUS developments from the U.S. EPA, the Corps and the U. S. Supreme Court, 2022 is shaping up to be a critical year for federal water law. ■

Babst Calland will continue to track developments and changes to the NWP program and WOTUS. If you have any questions about these developments, contact Lisa Bruderly at 412-394-6495 or lbruderly@babstcalland.com or Evan Baylor at 202-853-3461 or ebaylor@babstcalland.com.

Update: *B&R Resources LLC v. DEP* continues on remand

Commonwealth Court's December 6 decision is now binding precedent

By Kevin Moody,
PIOGA General Counsel & Vice President for Government Relations

In our January 2022 issue, Jon Beckman and Brian Pulito, attorneys with Steptoe & Johnson, PLLC, provided an excellent comprehensive analysis of the Commonwealth Court's December 2021 decision ("*The Commonwealth Court strays from 'reasonable efforts' to 'required to expend to remain in business' in vacatur of EHB order*") in the continuing tragedy of DEP's efforts to thwart Richard Campola's attempts to bring many nonproducing wells back into production by requiring the wells be plugged, and holding Mr. Campola personally liable for the plugging costs.

The analysis correctly stated that the court's decision was unpublished and therefore not binding precedent, concluding that "[t]hough *B&R Resources II* is not binding precedent, it will be used as persuasive authority by the department in future enforcement actions."

Unfortunately, on January 31 the court granted DEP's request to publish the decision, thereby elevating the decision from persuasive authority to binding precedent. ■

PA, NY producer groups comment on EPA's emissions rulemaking

PIOGA joined with three other Pennsylvania and New York oil and gas trade associations in filing formal comments that focus on the concerns of conventional operators in response to the U.S. Environmental Protection Agency's proposed rulemaking setting emissions standards for new and existing oil and gas facilities.

The EPA proposal, *Standards for Performance for New, Reconstructed, and Modified Sources and Emissions Guidelines for Existing Sources: Oil and Natural Gas Sector Climate Review,* was published in the November 15 *Federal Register (November PIOGA Press, page 1).*

Filing comments were PIOGA along with the Pennsylvania Grade Crude Oil Coalition, the Pennsylvania Independent Petroleum Producers and the Independent Oil & Gas Association of New York (collectively referred to as the Conventional Groups in the January 31 comment letter).

The associations detail eight areas of concern about the proposal and request that EPA either withdraw it in its entirety as it applies to conventional oil and gas operators in Pennsylvania and New York, or establish explicit exemptions from certain key provisions for conventional operations in the two states.

"The proposal, if finalized, will have disproportionate and devastating impacts on the conventional oil and gas producers in Pennsylvania and New York," the Conventional Groups warn.

The associations note that the proposal consists of proposed determinations and other actions on three separate EPA actions. Complicating matters is the fact that the agency has not yet provided draft regulatory text on two of the provisions (what is referred to as Subparts OOOOb and OOOOc).

"This piecemeal approach to a major set of regulatory actions adversely impacts the Conventional Groups' members, who have limited resources and ability to divert administrative and other resources to evaluating and understanding voluminous and complex regulatory approvals," the 18-page comment letter pointed out.

The Conventional Groups highlighted these issues with the EPA proposal:

1. EPA must consider the high costs to conventional operators from its proposal. "For EPA to truly understand whether the projected costs of the proposal are 'greater than the [conventional oil and gas] industry could bear to survive,' it must perform a tailored analysis and determine the 'cost-effectiveness' of the various aspects of the proposal for the many small businesses in the conventional oil and gas industry," the associations wrote.

2. EPA most consider the small, low-emitting nature of Pennsylvania and New York conventional oil and gas production before implementing any additional requirements. EPA's proposal generally takes a one-size-fits-all, industry-wide approach to determining whether additional and potentially far more restrictive requirements should be imposed on producers. However, the profound differences in scale between conventional and unconventional operations—as well as the economic impact of the regulations on small-scale producers—must be taken into account.

3. EPA ignored or failed to address several key recommendations of a small business panel convened to consider the proposal. As required, EPA convened a panel to discuss the impact of the proposal on small businesses. Unfortunately, EPA failed to consider or meaningfully address several key observations and recommendations from the panel and the Office of Advocacy of the U.S. Small Business Administration. The Conventional Groups' comment list several examples of recommendations that were ignored by the EPA.

4. EPA's proposed LDAR requirements at well sites suffer from numerous flaws. The associations point out that the proposal includes significant changes to the existing requirements for well site leak detection and repair (LDAR). The proposal would apply a "site-level baseline methane" emissions approach to determining whether costly LDAR requirements apply to the more than 100,000 conventional oil and gas well sites in Pennsylvania and New York. "Based on available financial information, EPA's proposal will put the Conventional Groups' members in serious financial jeopardy," the associations warned.

5. EPA's proposed expansion of storage vessel requirements is unreasonable when applied to conventional oil and gas operators. The model tank batteries used by EPA are significantly different from the tanks used by conventional operators. "EPA's cost-effectiveness calculations are therefore flawed and substantially underestimate the costs that would be imposed on the members of the Conventional Groups if they were required to take *all* the steps necessary to install and operate a flare, enclosed combustor or vapor recovery unit to control what are already exceedingly small

PIOGA® Pennsylvania Independent Oil & Gas Association

JUST THE FACTS

New York's proposed statewide natural gas ban defies logic

New York Governor Kathy Hochul in January announced her support for the state's newest attack on natural gas, in what would be first statewide ban on the use of gas in all new buildings, commencing in 2027. It is the latest effort to prevent New Yorkers from benefiting from shale gas development, dating back to Governor Andrew Cuomo's 2014 ban on high-volume hydraulic fracturing and ongoing strident opposition to new natural gas pipelines.

As the February installment of PIOGA's Just the Facts series explains, this string of decisions impacting supplies has had negative consequences for many New Yorkers, including moratoriums on new natural gas connections by some utilities. While all of these actions have increased prices and reduced choices for consumers, a complete ban on natural gas, as proposed, would make New York's energy landscape exponentially worse.

This edition of Just the Facts, entitled "New York's Proposed Statewide Natural Gas Ban: Defying all Logic," looks at current and future energy sources in the Empire State, demonstrating that New York will face a daunting challenge to find affordable and reliable sources of energy in the future to offset the loss of natural gas if a supply-construction ban is successful. We also point to a recent Manhattan Institute white paper discussing physics and the limits of renewables. The paper concludes that the "era of 10-fold gain" in renewable sources is over.

The bottom line: With legislation to eliminate natural gas infrastructure in all buildings in 2027, New York will continue down the path of reduced energy security and higher costs for its residents. Fortunately, legislators in Pennsylvania have taken the opposite approach with bills moving through the General Assembly that would prohibit local governments from writing building codes that restrict energy choices and placing those decisions instead in the hands of developers and consumers.

As always, you can find this and past monthly installments of PIOGA's Just the Facts in the Latest News and Blog section of pioga.org. We encourage you to share this information with colleagues, friends and others who need to know the facts about the indispensable role of natural gas in meeting society's needs.

amounts of emissions," the associations wrote.

6. EPA's proposal to regulate "well liquids unloading" is unreasonable.

Under the proposal, any time "well liquids unloading" occurs at an existing well site, it would be considered a modification under NSPS OOOOb. Conventional producers use tubing swabbing, rabbits (plunger lifts), casing swapping and other methods as part of routine maintenance, including liquids unloading, on their wells. These events are very different from the "intermittent, high-emitting events" that EPA believes are in need of regulation. In addition, no technologies exist that would be appropriate for the region's conventional wells. The associations request that EPA withdraw these provisions for conventional wells in the two states.

7. The proposed "zero" emission rate requirements for pneumatic controllers is technically infeasible and cost-prohibitive. The proposal includes a requirement of zero emissions of volatile organic compounds (VOCs) and methane for continuous bleed and intermittent vent controllers. However, use of alternative types of controllers is not feasible, practical or affordable at many sites operated by the region's conventional producers.

8. The exemptions for the proposed new requirements to control emissions from oil wells with associated gas must align with reality. EPA proposes to require that oil wells with associated gas (1) capture the associated gas from the separator and route it into a gas gathering flow line or collection system; (2) beneficially use the gas onsite; (3) reinject the captured gas for enhanced oil recovery; or (4) flare the gas with "legally and practically" limits. None of the options, however, are workable for oil-producing members of the Conventional Groups, and the comment letter recommends that EPA allow conventional oil producers in the two states to vent the small volumes of associated gas as the only safe and environmentally sound option.

PIOGA also has helped to develop comments on the EPA proposal as part of a coalition of industry groups led by the Independent Petroleum Association of America. ■

DEP updating Alternative Waste Management Practices forms

The Department of Environmental Protection tells PIOGA it has been updating the Request for Approval of Alternative Waste Management Practices (Unconventional Operations Only), form 8000-PM-OOGM0071AU, and the Request for Approval of Previously Approved Alternative Waste Management Practices (Unconventional Operations Only), form 8000-PM-OOGM0071BU, as part of the agreed-upon changes as outlined in the *Marcellus Shale Coalition v. DEP* settlement, as well as some other clarifications.

No updates are being made to the Request for Approval of Alternative Waste Management Practices (Conventional Operations Only), form 8000-PM-OOGM0071.

The major changes being made to the 8000-PM-OOGM0071AU and 8000-PM-OOGM0071BU forms are as follows:

• Add clarifying language at the top of the forms as to when the forms are needed.

• Add clarifying language at the top of the forms that If approval is granted under the alternative waste management practices requests, the applicant does not have an obligation to obtain a permit or post a bond under the Solid Waste Management Act.

• Add a section to allow for requesting alternate storage structures for storage of production fluids on well sites.

• Development of administrative completeness checklists for approval of alternate storage structures (temporary and long term) or previously approved alternate storage structures.

• Add a section to allow for requesting to land apply precipitation collected in uncontaminated secondary containment to an area next to the well site.

• Add a subsection under the Residual Waste Treatment / Processing Section to allow evaporators to be approved as an alternate waste management practice for servicing wells located on the well site.

• Add a subsection under the Residual Waste Treatment / Processing Section to allow processing residual waste streams (e.g., sludges, solids, liquids) remaining after the initial processing or handling of residual waste from the development, drilling, stimulation, alternation, operation or plugging of oil or gas wells at the well site.

• Add a subsection under Residual Waste Treatment / Processing Section to allow processing of residual waste or regulated substances that will be beneficially used at the well site for the development, drilling, stimulation, alternation, operation, or plugging of oil or gas wells.

DEP officials also indicated they hope to provide training on this and the other form changes brought about by the MSC litigation. ■

Members talk about the value of PIOGA membership:

As a service provider to more than 500 Appalachian natural gas producers, it is only logical for Eastern Energy Field Services (EEFS) to be an active member company within the PIOGA organization. PIOGA's general counsel and legal support provides invaluable legal services to the producer community. EEFS is appreciative to be the conduit for such regulatory support and information for updating our producer community and our customers. This type of information has tremendous value for commercial decision-making for EEFS and its customer base, all at the reasonable cost of membership.

PIOGA's working committees and networking events bring together market intelligence, commercial experience and joyful fellowship amongst the membership, keeping members informed and making them more valuable to their employers and the energy community at large. PIOGA and its staff make a positive difference in our work lives.

David Marks
BHE Eastern Energy Field Services

Draft waste general permit released for comment

The Department of Environmental Protection has published for comment a new general permit known as WMGR163 covering facilities that process and beneficially reuse oil and gas liquid wastes for no more than 180 consecutive days.

The Department of Environmental Protection was directed to create the permit by a provision included in last year's state budget package *(August 2021 PIOGA*

Press, page 5).

This proposed general permit has a narrower scope than the similar WMGR123 that also applies to treatment and reuse facilities for liquid oil and gas wastes. WMGR163 allows facilities to operate no more than 180 consecutive days and is focused on oil and gas liquid waste transported to a well site where it is used to hydraulically fracture another well. WMGR163 would limit the size of any storage facility used as part of this process to 1 million gallons.

The most significant difference between the two general permits is WMGR163 contains no concentration limits that the liquid waste must meet to be stored in an impoundment and no chemical testing of the waste is required. WMGR123 established concentration limits for 39 chemicals and characteristics, including arsenic, barium, benzene, bromide, lead, manganese, radioactive radium, strontium and toluene, among others. Otherwise, the siting requirements and other provisions of the proposed WMGR163 are much the same as WMGR123.

The draft can be found at www.depgreenport.state.pa.us/elibrary/GetFolder?FolderID=3937. Public comments on WMGR163 are due March 15. ■

Thanks to our 2022 PIOGA Partners

Keystone Partners

American Refining Group, Inc. — Refine everything.

ERGON — a company that works

Meetings Partners

Babst Calland — Attorneys at Law

Steptoe & Johnson PLLC

T&F Exploration

Committee Partners

Moody and Associates, Inc. — Groundwater and Environmental Professionals Since 1891

Utilities Employees Credit Union — Your Employee Wellness Partner

Engineer Partners

Gmerek Government Relations, Inc.

Greylock Energy

Executive Partners

Kriebel Companies — Developing Resources, Sharing Successes

Penneco Environmental Solutions, LLC

Snyder Brothers Inc. — Kittanning, PA

Golf Partners

Billman Geologic

Pipeliners Union 798 — United Association

Clay Shoot Partner

CEC — Civil & Environmental Consultants, Inc.

Driller Partner

Aqua-Clear

Interested in becoming a PIOGA Partner? Find out more at pioga.org/publication_file/2022_PIOGA_Partners_flyer.pdf

PIOGA welcomes Piaschyk and King as new board members

Damian Piaschyk is a petroleum geologist working for Pennsylvania General Energy (PGE) as the Geology/GIS Manager. He has 15 years' experience in conventional and unconventional plays across the Appalachian Basin. He has worked in numerous sub-specialties of oil and gas including data analysis, development, economics, exploration, geophysics, geosteering, GIS, petrophysics, regulatory, water management and wellbore architecture.

"PIOGA has a rich history in the oil and natural gas industry, and I hope to contribute to its many worthy causes. I look forward to working with other industry professionals to further the responsible growth of Pennsylvania's oil and natural gas industry," said Piaschyk. In his free time, he enjoys camping with his family, hunting and volunteering for his church.

Piaschyk replaces PGE's **Daniel McGraw** who served on the PIOGA Board for the past three years. PIOGA President & Executive Director Dan Weaver stated, "We thank Dan for his contributions to the board and appreciate his leadership to the organization. His guidance on the various legal cases PIOGA has been involved in was very valued and we wish him all the best."

Bruce King is Greylock Energy's Vice President of Production. King began his career as a Senior Project Engineer with NiSource, where he spearheaded major infrastructure projects in transmission, storage, gas treatment and liquids extraction. He then filled managerial roles with EnerVest Operating Company, Cabot Oil & Gas and Stone Energy, where he was responsible for managing the construction department as well as the pipeline group, production facilities group, production engineering and production operations.

Immediately before joining Greylock, he served for six years as Senior Vice President, Production & Midstream at Eclipse Resources, where he built and led teams responsible for the development and operations of both production and midstream facilities. King is a registered professional engineer and holds a bachelor of science degree in mechanical engineering from West Virginia University Institute of Technology. Prior to college, he served six years in the United States Navy's nuclear power program.

King is replacing **Michael Cochran**, who served on PIOGA Board representing Greylock Energy and Energy Corporation of America (ECA) previously.

Thanks for your service!

Our thanks go out to Mike Cochran from Greylock Energy for his service to PIOGA and the Board of Directors.

"Mike has been a long-time member and active board member and we appreciate his commitment to PIOGA. Mike always provided steadfast leadership and a professionalism that was valued on our board. We wish Mike and his family all the best as he retires from the industry and we hope he knows he's knowledge and guidance will be missed within PIOGA," said Weaver. ■

President & Executive Dirrector Dan Weaver (left) and Board Chair Gary Slagel (right) present Mike Cochran with an award as he retires from the board.

New PIOGA members — *welcome!*

Filtech, Inc.
100 Carol Court Drive, Wellsburg, WV 26070
412-461-1400 • www.filtechinc.com
Allies & Providers—filtration solutions

Glenn Weaver & Son
823 Congress Hill Road, Franklin, PA 16323
814-423-3013
Producer

Kodiak Gas Services, LLC
15320 Highway 105 W, Ste 210, Montgomery, TX 77356
936-539-3300 • kodiakgas.com
Allies & Providers—contract gas compression, operations, and station design and build out

Mifflin Energy Resources
282 Main Street, Locust Gap, PA 17840
570-590-3423
Producer

PIOGA Member Profile

Utilities Employees Credit Union

Your Employee Wellness Partner

Utilities Employees Credit Union (UECU) was originally chartered in 1934 to serve gas and electric utility employees residing on the East Coast. Formed as a cooperative organization where workers could save and borrow from their collective financial resources, UECU gradually grew into a full-service credit union for utility and energy workers nationwide.

In 2021, we expanded our field of membership to the entire state of Pennsylvania to provide our exclusive membership benefits to Pennsylvania residents. Today, we serve 47,000 members from a single headquarters in Wyomissng, Pennsylvania. Without shareholders or branches to maintain, UECU returns profits to members, helping them save more with lower fees, lower loan rates and savings rates consistently higher than the national average.

UECU's vast membership benefits include personalized service, banking tools tailored to the utility industry, rewards checking accounts powered by BaZing, nationwide ATM surcharge rebates, and affordable rates on auto loans, personal loans, student loans, credit cards, home equity loans and mortgages. Members also earn generous rewards through the *VantagePoints*™ reward program.

Our credit union joined PIOGA to extend our unique credit union benefits to companies and individuals working in the Pennsylvania oil and gas industry and beyond. We partner with hundreds of utility companies across the nation, helping them to empower their employees with a comprehensive financial wellness program. As a UECU partner company, your employees would benefit from company-branded employee resources, on-demand virtual e-courses, live and onsite financial education sessions, one-on-one credit counseling, guidance for employees when money questions arise, and more.

UECU is among the 6 percent of U.S. credit unions to receive the *Best of Bauer Status* for having earned BauerFinancial's 5-Star Rating for financial strength for over 30 years! UECU also has been ranked as one of the top 200 healthiest credit unions in the U.S. by DepositAccounts.com. To learn more about UECU's exclusive member and employer benefits, contact Nicole Miller, UECU National Account Representative, at 484-388-0582 or nmiller@uecu.org.

Producers anticipated to pay nearly $234 million in impact fees

After dipping to an all-time low last year, unconventional well impact fee payments for the 2021 calendar year are expected to reach $233.8 million, according to a report by the state's Independent Fiscal Office (IFO).

The estimate represents an increase of $87.6 over the fees paid for 2020 and would be the second-highest amount collected in the 11-year history of the tax. Only the $251.8 million generated for CY 2018 was greater.

The Act 13 impact fee schedule is based on the age of an unconventional well, whether it is a vertical or horizontal well, the average annual NYMEX natural gas price and there also can be an inflation-based adjustment. Impact fees are paid in April for the prior calendar year and distributed in July. Counties and municipalities that host wells are expected to split $129 million when payments are disbursed—$53 million more than last year. Impact fee revenue also is dedicated to state environmental, infrastructure, emergency management and housing programs.

The biggest factor in the projected increase in fees paid for 2021 is the price of gas, the IFO reported. Higher demand for natural gas as the economy here and abroad bounced back from the pandemic caused the average annual NYMEX price increase to $3.84 per MMBtu last year.

Continues on page 18

PUC announces '21 impact fee schedule

The operators of unconventional wells will pay considerably more in impact fees for the 2021 calendar year, according to a notice by the Pennsylvania Public Utility Commission (PUC) published in the January 29 *Pennsylvania Bulletin.* For horizontal wells operating in their first year, the increase will be $13,500 over what was due for 2020.

The change in the impact fee was triggered by an increase in the average price of natural gas during 2021. Also included was an upward inflationary adjustment due to the year-over-year increase in wells spud.

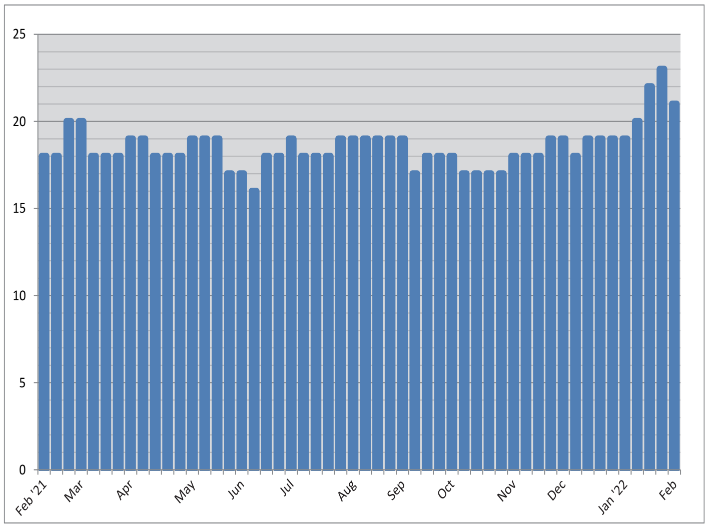
A first year horizontal well will incur a fee of $54,000 for 2021, compared to $40,500 for the 2020 calendar year. Under Act 13 of 2012, the tax is levied on non-stripper unconventional wells (those producing more than 90,000 cubic feet of natural gas in any given month) for their first 10 years of their lives. The 2021 fee schedule is shown below.

Year of Well	Horizontal	Vertical—Producing
1	$54,000	$10,800
2	$43,200	$8,600
3	$32,400	$6,500
4-10	$21,600	$4,300

Payments by producers for the previous calendar year are due annually by April 1 to the PUC.

Oil & Gas Dashboard

Pennsylvania Rig Count



Penn Grade Crude Oil Prices

Natural Gas Futures Closing Prices

Month	Price
March	$4.320
April	4.285
May	4.303
June	4.348
July	4.397
August	4.401
September	4.388
October	4.410
November	4.495
December	4.666
January 2023	4.774
February	4.623

Prices as of February 9

Sources

American Refining Group: www.amref.com/Crude-Prices-New.aspx
Ergon Oil Purchasing: www.ergon.com/crudeoil
Gas futures: quotes.ino.com/exchanges/?r=NYMEX_NG
Baker Hughes rig count: bakerhughesrigcount.gcs-web.com/na-rig-count
Appalachian fixed price moving averages: David Marks, BHE Eastern Energy Field Services

Northeast Pricing Report — February 2022

Although prices are still relatively high, New England has slipped a little in front month trading. Front month pricing dropped $2.31 per MMBtu from January, but LNG supply from Trinidad and Tobago has helped short term supply. All other trading points increased. TETCO M3 increased the most by $1.28 per MMBtu. Transco Z6 increased significantly as well at $.085 per MMBtu. Dominion South increased the least at $0.29 per MMBtu. To put that into historic terms, Dominion's pricing is only in the 60th percentile average of trading over the past four years. Transco Leidy which usually trends with Dominion South is between the 70th and 80th trading percentile average. For one-year trading, only TETCO M3 saw an increase of $0.22 per MMBtu. Algonquin decreased the greatest at $0.08 per MMBtu. Algonquin decreased the most for full term trading as well at $0.36 per MMBtu. Transco Z6 decreased the next largest amount at $0.09 per MMBtu.

Transportation Value Market Indicator

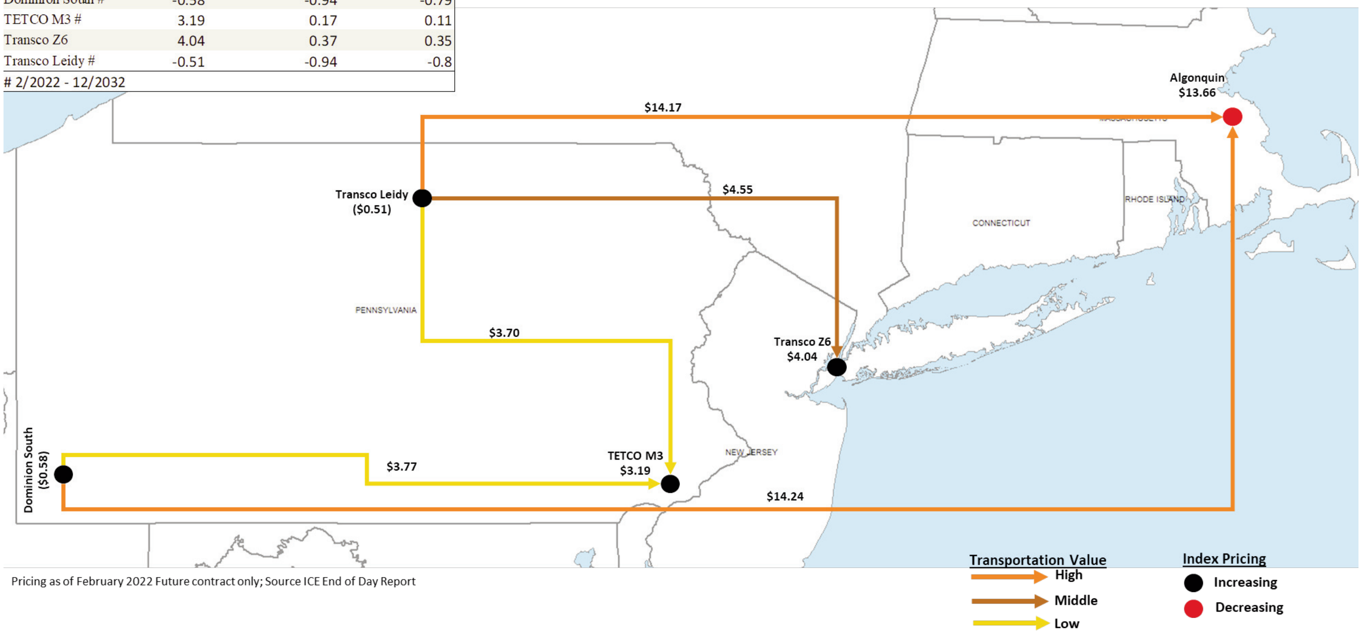
Provided by Bertison-George, LLC
www.bertison-george.com

Transportation values are mixed compared to January. Dominion South and Transco Leidy to Algonquin is valued at $14.24 and $14.17 per MMBtu representing a $2.60 and $2.65 per MMBtu decrease. Dominion South to TETCO M3 increased the most by $0.99 per MMBtu. Transco Leidy to TETCO M3 was slightly behind with an $0.94 per MMBtu increase. Transco Leidy to Transco Z6 increased $0.56 per MMBtu with TETCO M3 to Transco Z6 decreasing by $0.43 per MMBtu.

Natural Gas Basis Future Pricing

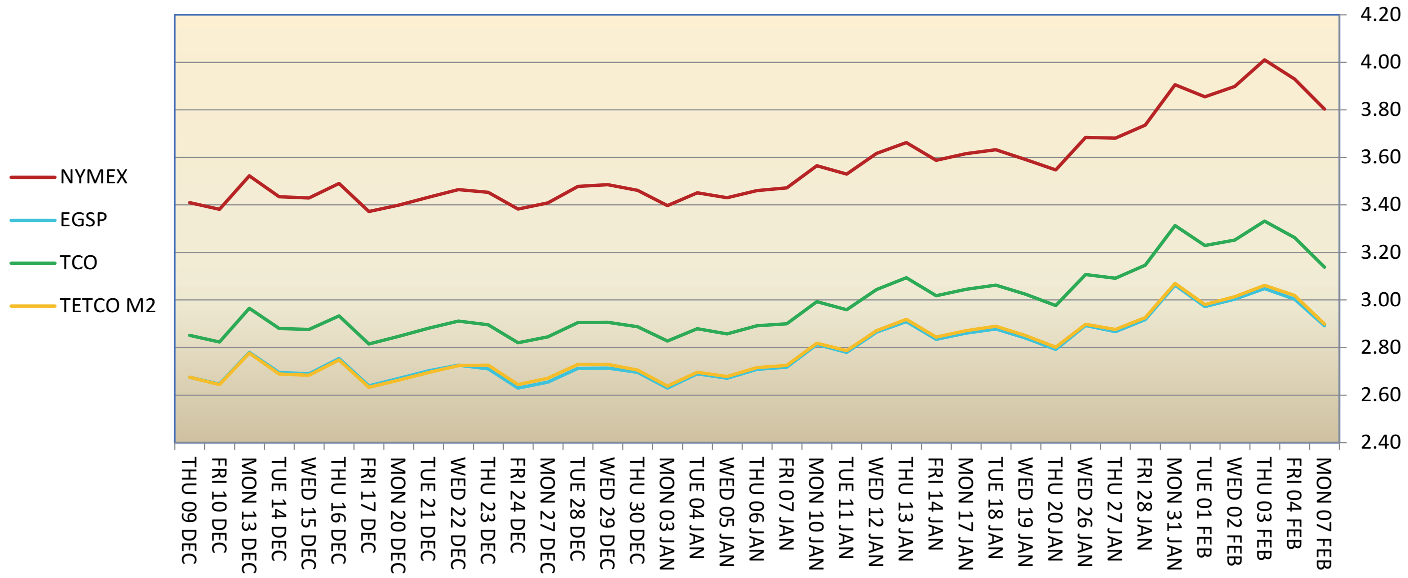
	Pricing Term		
Location	2/2022	2/2022-1/2023	2/2022-12/2026
Algonquin	13.66	4.00	2.11
Dominion South #	-0.58	-0.94	-0.79
TETCO M3 #	3.19	0.17	0.11
Transco Z6	4.04	0.37	0.35
Transco Leidy #	-0.51	-0.94	-0.8

\# 2/2022 - 12/2032



Pricing as of February 2022 Future contract only; Source ICE End of Day Report

36-Month Appalachian Fixed Price Moving Averages



Spud Report: January 2022

The data show below comes from the Department of Environmental Protection. A variety of interactive reports are available by going to the Office of Oil and Gas Management page at www.dep.pa.gov and choosing Report from the menu. 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
Apex Energy (PA) LLC	2	1/3/22	129-29132	Westmoreland	Hempfield Twp
		1/3/22	129-29131	Westmoreland	Hempfield Twp
Bearcat Oil Co LLC	1	1/5/22	123-48521*	Warren	Mead Twp
Beech Resources LLC	1	1/10/22	081-21894	Lycoming	Lycoming Twp
Chesapeake Appalachia LLC	11	1/14/22	015-23712	Bradford	Asylum Twp
		1/14/22	015-23713	Bradford	Asylum Twp
		1/14/22	015-23710	Bradford	Asylum Twp
		1/15/22	015-23714	Bradford	Asylum Twp
		1/15/22	015-23708	Bradford	Asylum Twp
		1/15/22	015-23709	Bradford	Asylum Twp
		1/16/22	015-23716	Bradford	Asylum Twp
		1/16/22	015-23715	Bradford	Asylum Twp
		1/16/22	015-23711	Bradford	Asylum Twp
		1/5/22	015-23700	Bradford	Wilmot Twp
		1/5/22	015-23695	Bradford	Wilmot Twp
CNX Gas Co LLC	5	1/4/22	129-29123	Westmoreland	Bell Twp
		1/4/22	129-29122	Westmoreland	Bell Twp
		1/4/22	129-29121	Westmoreland	Bell Twp
		1/4/22	129-29125	Westmoreland	Bell Twp
		1/4/22	129-29124	Westmoreland	Bell Twp
Coterra Energy Inc	4	1/14/22	115-22910	Susquehanna	Lenox Twp
		1/14/22	115-22911	Susquehanna	Lenox Twp
		1/14/22	115-22912	Susquehanna	Lenox Twp
		1/14/22	115-22913	Susquehanna	Lenox Twp
Gas & Oil Mgmt Assoc Inc	2	1/4/22	123-48527*	Warren	Mead Twp
		1/7/22	123-48526*	Warren	Mead Twp
Kylander Oil Inc	2	1/18/22	123-48536*	Warren	Glade Twp
		1/25/22	123-48535*	Warren	Glade Twp
Olympus Energy, LLC	6	1/21/22	129-29127	Westmoreland	Upper Burrell Twp
		1/21/22	129-29126	Westmoreland	Upper Burrell Twp
		1/21/22	129-29130	Westmoreland	Upper Burrell Twp
		1/21/22	129-29129	Westmoreland	Upper Burrell Twp
		1/21/22	129-29128	Westmoreland	Upper Burrell Twp
		1/21/22	129-29112	Westmoreland	Upper Burrell Twp
Pennhills Resources LLC	5	1/3/22	083-57330*	McKean	Hamilton Twp
		1/6/22	083-57350*	McKean	Hamilton Twp
		1/13/22	083-57351*	McKean	Hamilton Twp
		1/19/22	083-57352*	McKean	Hamilton Twp
		1/27/22	083-57331*	McKean	Hamilton Twp
Range Resources Appalachia	11	1/26/22	003-22623	Allegheny	Findlay Twp
		1/26/22	003-22621	Allegheny	Findlay Twp
		1/26/22	003-22622	Allegheny	Findlay Twp
		1/27/22	003-22624	Allegheny	Findlay Twp
		1/20/22	125-28962	Washington	Nottingham Twp
		1/20/22	125-28958	Washington	Nottingham Twp
		1/21/22	125-28959	Washington	Nottingham Twp
		1/21/22	125-28960	Washington	Nottingham Twp
		1/22/22	125-28963	Washington	Nottingham Twp
		1/22/22	125-28961	Washington	Nottingham Twp
		1/23/22	125-28964	Washington	Nottingham Twp
Repsol Oil & Gas USA LLC	7	1/4/22	117-22155	Tioga	Ward Twp
		1/4/22	117-22156	Tioga	Ward Twp
		1/4/22	117-22157	Tioga	Ward Twp
		1/4/22	117-22158	Tioga	Ward Twp
		1/4/22	117-22159	Tioga	Ward Twp
		1/4/22	117-22160	Tioga	Ward Twp
		1/4/22	117-22161	Tioga	Ward Twp
Rice Drilling B LLC	5	1/12/22	059-28154	Greene	Richhill Twp
		1/12/22	059-28151	Greene	Richhill Twp
		1/12/22	059-28152	Greene	Richhill Twp
		1/12/22	059-28153	Greene	Richhill Twp
		1/12/22	059-28072	Greene	Richhill Twp
SWN Prod Co LLC	2	1/7/22	115-22833	Susquehanna	Jackson Twp
		1/8/22	115-22832	Susquehanna	Jackson Twp
Wilmoth Interests Inc	1	1/10/22	123-48546*	Warren	Mead Twp

	January	December	November	October	September	August
Total wells	**65**	**49**	**62**	**76**	**59**	**52**
Unconventional Gas	54	39	58	62	43	35
Conventional Gas	0	0	0	0	0	1
Oil	6	7	4	7	6	14
Combination Oil/Gas	5	3	0	7	10	2

Impact fee *Continued from page 16*

Due to the price being between $3.00 and $4.99, the impact fee schedule increased by $10,000 per horizontal well compared to CY 2020 levels. This rates for 2021 also include the statutorily required inflationary adjustment (6.6 percent) to the fee schedule due to the year-over-year increase in wells spud. Combined, these factors are expected to have an impact of +$98 million, according to the IFO.

At the same time, the aging population of Pennsylvania's unconventional wells that move down a tier on the payment schedule are anticipated to have an impact of −$10.4 million. This impact for CY 2021 is largely driven by nearly 3,200 wells that entered operating year 11 for the first time, in which they pay half the fee amount that they paid in operating year 10.

Effective tax rate

The IFO also calculates an effective tax rate (ETR) of the impact fee each year, using these data:

• Annual production of 7.6 Tcf, based on statewide data reported to the Department of Environmental Protection.

• Annual average hub price of $3.15/Mcf, prior to the deduction of post-production costs. This price is a weighted average of spot prices at the Dominion South and Leidy trading hubs.

• Post-production costs of $0.80/Mcf, reflecting costs for gathering, processing and transporting natural gas to market.

Based on these numbers, the IFO estimated an ETR for 2021 of 1.3 percent, less than half of the ETR of 3.3 percent for 2020.

"This decrease (in the ETR) is due to a notable increase in the market value of natural gas more than offsetting the increase in estimated impact fee collections," the IFO report stated. "Market value is projected to increase by 298.2% from the prior year, the strongest growth since the inception of the impact fee. This is due to a moderate rebound in statewide production growth (+7.2% year-over-year) combined with the highest regional prices in over three years." ■

Calendar of Events

PIOGA events

PIOGATech: First-Aid/CPR/AED Training
February 24, RLA Learning Center, Cranberry Township

Axes & Ales networking event
March 9, Lumberjaxes, Pittsburgh

Spring Meeting & Exhibition
April 6, Rivers Casino, Pittsburgh

Sporting clays networking event
May 5, venue TBA

PIOGATech: environmental topic TBA
May 17, venue TBA

Oil Patch Classic Golf Outing
June 16, Wanango Country Club, Reno

Pins & Pints with Beach Party networking event
July 14, Paradise Island Bowl & Beach, Pittsburgh

PIOGATech: safety topic TBA
August 3, venue TBA

25th Annual Divot Diggers Golf Outing
August 18, Tam O'Shanter Golf Course, Hermitage

PIOGATech: Water and Waste Management
September 15, venue TBA

Fall Festival and Marcellus to Manufacturing
October 19, venue TBA

Annual Meeting and clay shoot
October 20, venue TBA

Annual Oil & Gas Tax and Accounting Seminar
November 16, venue TBA

PIOGATech: Air Quality
December 15, venue TBA

Mix, Mingle & Jingle Holiday Party
December 15, venue TBA

Other events

GO-WV Winter Meeting
January 19-20, Charleston, WV
Info: gowv.com/events/2022-winter-meeting

OOGA Annual Meeting
March 2-4, Columbus, OH
Info: www.ooga.org/events

PIOGA Board of Directors

Gary Slagel (Chairman), Steptoe & Johnson PLLC
Sam Fragale (Vice Chairman), Freedom Energy Resources LLC
Frank J. Ross (2nd Vice Chairman), T&F Exploration, LP
James Kriebel (Treasurer), Kriebel Companies
Michael Hillebrand (Secretary), Huntley & Huntley, Inc.
Nicholas Andreychek, Ergon
Robert Beatty Jr., InsightFuel / Robert Beatty Oil & Gas
Stanley J. Berdell, BLX, Inc.
Brook Bertig-Coll, Fisher Associates
Dan Billman, Billman Geologic Consultants, Inc.
Brian Bittinger, Bittinger Drilling, LLC / D&B Gas Production, LLC
David Cook, American Refining Group, Inc.
Paul Espenan, Diversified Energy Company PLC
David Hill, Hill Drilling
Jessica Houser, WGM Gas Company Inc.
Bruce King, Greylock Energy
David Marks, BHE Eastern Energy Field Services
Teresa Irvin McCurdy, TD Connections, Inc.
Len Paugh, Long Ridge Energy Generation
Damian Piaschyk, Pennsylvania General Energy Co., LLC
Beth Powell, New Pig Energy
Jake Stilley, Patriot Exploration Corporation
Bryan Snyder, Snyder Brothers, Inc.
Chris Veazey, OWS Acquisition Co. LLC
Jeff Walentosky, Moody and Associates, Inc.
Ben Wallace, Penneco Oil Company, Inc.

Committee Chairs

Diversity Committee
Deana Stephens, Steptoe & Johnson PLLC
Environmental Committee
Paul Hart, Diversified Energy Company PLC
Ken Fleeman
Legislative Committee
Ben Wallace, Penneco Oil Company
Market Development Committee
David Marks, BHE Eastern Energy Field Services
Safety Committee
Wayne Vanderhoof, RJR Safety, Inc.
Eric Staul, Diversified Energy Company PLC
Tax Committee
Bill Phillips, Arnett Carbis Toothman, LLP

Staff

Dan Weaver (dan@pioga.org), President & Executive Director
Kevin Moody (kevin@pioga.org), Vice President & General Counsel
Debbie Oyler (debbie@pioga.org), Director of Member Services and Finance
Matt Benson (matt@pioga.org), Director of Internal Communications (also newsletter advertising & editorial contact)
Danielle Boston (danielle@pioga.org), Director of Administration and Outreach
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
814-598-3085

Pennsylvania Independent Oil & Gas Association

Pennsylvania: The Keystone to America's Energy Future®

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

Address Service Requested