The PIOGA Press

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Pennsylvania Independent Oil & Gas Association
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First they came for our gas stoves.... Government Gas Bans - Is this Truly the Land of the Free?

The fiery saga continues… it began with the push to ban gas stoves earlier this year and now the oppositional torch has been thrown towards banning gas water heaters and other household appliances.

In February, PIOGA first reported on the push to ban gas stoves, in an article titled 'Gas Stoves – A Culture Fire'. At the end of July, the Biden Administration unveiled a regulatory proposal targeting water heaters, the latest in a string of energy efficiency actions cracking down on home appliances.

Ordinary Home Appliances or Contraband?

New rules from the Biden administration's Department of Energy (DOE) aim to make most of the ordinary appliances in your household contraband. The new energy efficiency standards in the administration's regulatory proposal could wreak havoc on your household chores. Your washing machine will work harder, and your clothes won't be as clean; your dishwasher will not get the dishes clean; your refrigerator will not perform as expected…. and you may be saying goodbye to your gas water heater and stove.

The DOE said its proposal would ultimately 'accelerate deployment' of improved outdated efficiency standards for common household appliances. Under the rule, the federal government would require higher efficiency for heaters using heat pump technology or, in the case of gas-fired water heaters, to achieve efficiency gains through condensing technology. The department is planning to ratchet up the minimum efficiency standards for gas-fire water heaters, oil-fired storage water heaters, and gas-fired instantaneous water heaters.

As part of its climate and conservation agenda, in addition to water heaters, the DOE has unveiled new standards for a wide variety of other appliances including gas stoves, clothes washers, refrigerators, air conditioners, pool pumps, battery charges, ceiling fans and dehumidifiers.

Under the DOE's mission statement, it highlights advancing 'energy efficiency and conservation' as one the five central pillars. Broadly, environmentalists and those in favor of the new energy efficiency standards, have argued that electrification, banning natural gas hookups and implementing strict energy efficiency standards could help accelerate emissions reductions.

A Smoke Screen

The Biden Administration has been standing

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firm that this is all in the name of energy efficiency and combating climate change. However, many don't agree that the efforts to regulate home appliances are climate motivated.

Tim Stewart, President of U.S. Oil and Gas Association, recently said in an interview, "I don't think it's about brining down carbon emissions. It's about doing away with the fossil fuel industry; they've been pretty clear about that."

"They don't trust industry, and they certainly don't trust the oil and gas industry who's already proven we're the best reducers of CO2 by using our product." Stewart also noted in the interview, that when the Biden Administration moves to regulate products, they seem to do so without consulting the people in the industry.[1]

In general, any sort of energy regulation on appliances doesn't seem to sit well with the American people. As reported by the Washington Examiner,[2] a majority of Democrats, Republicans, and Independents said in a CRC Research poll they would be "more likely" to support a candidate who would put an end to these types of crackdowns. Even 48% of liberals joined in agreement.

The current administration's 'green' push is viewed by many as emblematic of a larger effort of the administration to push gas appliances off the market. The administration is pushing energy efficiency and at the same time boosting subsidies for electric appliances.

Who Turned out the Lights?

In the midst of the current crusade against popular gas fueled household items, traditional incandescent light bulbs hit the regulatory chopping block.

A rule issued in 2007, rolled back by the Trump administration, and updated last year by the Biden administration, effectively bans the sale of common incandescent light bulbs. The rule went fully into effect August 1.[3]

It's Electrifying

The trend toward electrification and building electrification reflects a broader energy crisis, a move away from fossil fuels. It also sparks a debate about the role of government in determining how fast electrification will change the energy landscape – and how far it will go with its impact on utilities, industry, and electricity consumers.

There are various economic arguments around electrification, from higher prices for energy, to job losses in the fossil fuel sector, the cost of electric vehicles compared to gasoline-powered cars and trucks.

The challenge of electrification includes its impact on the grid. In a recent meeting with legislators from Pennsylvania and Ohio, the reliability of the mid-Atlantic power grid was discussed. Pennsylvania-New Jersey-Maryland Interconnection (PJM) officials recently testified that PJM will not have sufficient power to meet consumer demand if things continue on the current course. Legislators agreed that could result in increased prices, increased risks of blackouts and increased restriction on energy use. PJM said that 20 percent of its existing capacity would retire by 2030. Legislators from both states agreed during the meeting that regulating policies like the multistate Regional Greenhouse Gas Initiative (RGGI), overregulation by state agencies, and reliance on renewable energy sources will speed the collapse of the energy grid.[4]

Cities & States Moving to All-Electric Buildings

According to ClimateNexus the following are the current cities and states that have moved/are moving to all-electric buildings.[5]

California - In September 2018, California

1 https://justthenews.com/politics-policy/energy/light-bulbs-gas-stoves-and-refrigerators-biden-tightens-appliance-grip

2 https://www.washingtonexaminer.com/policy/energy-environment/most-americans-disapprove-appliance-energy-regulations-poll

3 https://abc7ny.com/incandescent-light-bulbs-ban-rule-when/13588050/#:~:text=A%20rule%20issued%20in%202007,into%20effect%20Tuesday%2C%20August%201.

4 https://pennbizreport.com/news/26927-legislators-from-pennsylvania-ohio-discuss-grid-reliability/

5 https://gas.climatenexus.org/gas-free-buildings

adopted a law to reduce emissions 40% below 1990 levels by 2030. As part of this effort, the state's Public Utilities Commission is investing $435 million in building electrification programs over the next four years.The commission is also working to end subsidies for new gas line extensions.

Berkeley - Berkeley became the first municipality in the U.S. to ban gas in most new construction (starting Jan. 1, 2020), and more than 50 local governments across the state have since adopted gas bans or electrification building codes and other policies to support all-electric new construction.

Los Angeles - Mayor Eric Garcetti unveiled a sweeping sustainability plan in 2019 that requires all new buildings to be "net-zero carbon" by 2030, and in May 2022 L.A.'s City Council voted to ban most gas appliances in new construction.

Oakland - At the end of 2020, Oakland passed an ordinance requiring new construction to be all-electric.

Sacramento - An ordinance adopted in June 2021, requires all new construction in Sacramento to be all-electric by 2026. All-electric homes were already becoming the default for new residential construction, and the city's local utility embedded electrification within its energy efficiency programs to ensure that low- and moderate-income households are able to go gas-free at the same rate as the rest of the population.

San Francisco - New construction in the city must be all-electric starting in 2021.

San Jose - San Jose, prohibited gas in new single-family homes and low-rise multifamily buildings starting in January 2020, and in November 2020, the City Council extended the measure to prohibit gas in almost all new construction, including commercial and high-rise residential buildings.

Colorado

Denver - Denver's City Council in November 2021, passed an ordinance that requires large commercial and multifamily buildings to slash emissions through efficiency and electrification upgrades. To defray the upfront cost of electrification and promote equity, the city also launched an extensive incentives program to help homeowners ditch fossil fuels.

Oregon

Eugene - In November 2021, Eugene became the first city in Oregon to advance a resolution that will require new construction to be all-electric.

Massachusetts - In March 2021, state lawmakers passed a landmark climate bill, which directs the Massachusetts Department of Energy resources to develop a "highly efficient stretch energy code" for local governments that want to opt-in and transition new construction away from gas. Now more than 20 cities and towns are pursuing policies to move buildings away from gas, and passage of a subsequent climate law in 2022, authorizes up to ten cities and towns in the state to eliminate fossil fuel hookups in new buildings.

Boston - A 2019 update of the city's Climate Action Plan called for retrofitting and electrifying at least 80% of the city's existing buildings over the next 30 years. In September 2021, the Boston City Council passed an ordinance requiring the city's largest buildings to meet increasingly aggressive emissions targets over time.

Brookline - In November 2019 became the first community outside of California to ban gas and other fossil fuel infrastructure in new buildings. While that bylaw was later struck down by the state's attorney general, the town is pursuing other measures that encourage all-electric buildings in new construction and major renovations.

Maryland - Maryland lawmakers passed landmark climate legislation in April 2022, which requires the state to reach net-zero greenhouse gas emissions across its economy by 2045.The new law includes an energy efficiency performance standard for buildings over 35,000 square

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feet that will ratchet down their emissions to zero by 2040.

Washington - In 2019, state lawmakers passed a suite of aggressive new climate bills aimed at dramatically reducing the state's carbon emissions, which included tough efficiency standards for buildings larger than 50,000 square feet. Though it didn't make it out of the statehouse in 2021, Gov. Jay Inslee continues to push legislation that would require new construction to gradually transition to all-electric appliances. The Washington State Building Council meanwhile voted to update the state's building codes to require heat pumps and eliminate fossil fuels in all new commercial buildings starting July 1, 2023.

Seatle - In February 2021 approved changes to its energy codes that will prevent gas use for space and water heating in most new commercial and apartment buildings. And the city had previously adopted a 24 cents per gallon tax on home-heating oil, with revenues dedicated to converting households from oil to all-electric heat.

Shoreline - In December 2021, the Shoreline City Council approved an ordinance that eliminates the use of most fossil fuels for space and water heating in new commercial and multifamily buildings.

Bellingham - In February 2022, Bellingham became the third city in Washington to require new commercial construction and all residential buildings taller than three stories to use electricity instead of gas for space and water heating.

New York - New York has adopted legislation that commits the state to achieving net-zero carbon emissions by 2050. Citing this target, the New York State Public Service Commission in March 2020 initiated a review of gas utilities and distribution that aims to "reduce or eliminate the need for gas infrastructure and investments." And Gov. Kathy Hochul supports a proposal, currently before the state legislature, that could make New York the first state to require new buildings to use only electricity.

New York City - In April 2019, New York's City Council passed sweeping climate legislation that caps emissions for buildings over 25,000 square feet. NYC became the first big American city, and only the second large city globally, to require energy retrofits on older buildings. The aim is to reduce greenhouse gas emissions from large buildings by 40% over the next decade and more than 80% by 2050. And in December 2021, the City Council passed another law that bans fossil fuel hookups in all new construction, requiring all-electric heating and cooking for buildings under seven stories starting in December 2023 and extending in 2027 to cover all taller buildings.

Ithaca - In November 2021, the Ithaca Common Council voted to electrify and decarbonize every building in the city, and the city raised $100 million through private equity investment for a first phase targeting upgrades for about 1,600 buildings.

New Jersey - Gov. Phil Murphy released the state's final Energy Master Plan in January 2020, which, among other things, calls for the transition to a fully electrified building sector.

District of Columbia - The city passed an aggressive new energy law in December 2018 that, among other things, establishes energy efficiency requirements for buildings greater than 10,000 square feet. And in July 2022, the D.C. Council passed a law phasing out gas in new construction by 2026.

Maine - Gov. Janet Mills in 2019 signed a bill that seeks to more than double the number of heat pump installations in the state to 20,000 annually, and to 100,000 in total, by 2025. More than 60% of the state's 550,000 households currently rely on heating oil as their primary energy source for heat. ■

Additional/Links:

Check out the tracker from the non-profit Building Decarbonization Coalition: Zero Emission Building Ordinances - BDC (buildingdecarb.org)

PIOGA Press - 'Gas Stoves – A Culture Fire' - https://pioga.org/publication_file/PIOGA_Press_154_February_2023.pdf

Articles of Interest

Published by Pittsburgh Post-Gazette. Opinion Article by Mike Kelly - August 1, 2023.

Mike Kelly: Government is an invasive species

You may remember Asian carp, the fish that wreaked havoc on local waterways over a decade ago. They were imported into the United States in the 1970s to control algae blooms. They escaped into the Great Lakes, where they threatened the $7 billion fishing industry. They are a problem that won't go away.

Today, you don't have to walk through nature to find another invasive species that won't go away. This time, it's in Washington.

Under the Biden administration, big government has become an invasive species that is creeping into our everyday lives. Like Asian carp were 50 years ago, big government is sold as an essential solution to a problem. But before you know it, that quick fix is here to stay. It creates new problems and there is no way to remove it.

Locally, big government has most recently taken the form of the proposed French Creek National Wildlife Refuge. The U.S. Fish & Wildlife Service's proposal would have created new federal ownership on as much as 800,000 acres of private land. The result: lower property tax revenue for local governments and new regulations for landowners.

Conservation efforts by area residents have already led to French Creek's designation as Pennsylvania's "River of the Year" in 2022. County leaders and I have opposed the proposed refuge because residents, not big government, should continue to have a say in the future of French Creek.

In January, the Biden administration's war on fossil fuels quietly crept into our kitchens when a member of the U.S. Consumer Product Safety Commission suggested a ban on new gas stoves. At first, banning gas stoves sounded impossible. That is, until you learn what was proposed at a federal level is already happening across the country. As of May, more than 100 cities and localities have restricted gas-powered appliances.

But it doesn't stop there. This time, big government is invading your wallet. During his first year, President Biden added more than $200 billion in new regulatory costs with "vehicle emissions and COVID-19 safety measures (providing) the vast majority of these administrative burdens," according to the American Action Forum. Those regulations are projected to cost American taxpayers over $2 trillion per year in compliance costs and economic losses.

That's why last month, the House passed the REINS Act, to restore Congressional authority, limit executive overreach, and to save taxpayer money. The bottom line: government oversight is fine. Government overreach is not.

I also remain incredibly concerned that big government, particularly the Federal Reserve, may soon be able to track our every financial move. The Fed is exploring new "Central Bank Digital Currency." I'm skeptical about the role a national digital-only currency may play in our economy. Want to use cash? With a digital dollar, think again.

Perhaps this administration's biggest invasion is one that potentially violated every American's fundamental right to free speech. This month, a federal judge ruled officials from multiple federal agencies are barred from contacting social-media companies with the intent to restrict and suppress speech. Why was this necessary?

The judge ruled the Biden White House privately pressured social-media companies to censor Americans whose opinions differed from the administration's opinions, particularly on COVID-19. The administration wasn't simply flagging so-called "misinformation." They bullied the tech companies into outright suppressing views and opinions that opposed those of the Biden White House. The case remains under review.

This is big government at its worst — they will tell you how to live, how they will spend your money, and then shut down your dissent. Big government is creeping too deeply into our personal lives. Like you, I'm sick of it.

The ancient Greek philosopher Plato summed it up best: "One of the penalties for refusing to participate in politics is that you end up being governed by your inferiors." What does that mean for us? Although Asian carp may continue to invade our waterways, we must not let big government continue to invade our lives. ■

Mike Kelly, Republican, represents Pennsylvania's 16th Congressional District. He is the Chairman of the Ways & Means Committee's Subcommittee on Tax.

The Form I-9: Refresher and Reminder of Recent Changes

Published by Babst Calland - Authored by Alexandra G. Farone, Esq.

Recent changes to the Form I-9 and its completion procedures have brought employee onboarding to the forefront for many employers. This article provides a primer on the Form I-9 generally, recent changes to the process, and tips to address instances of non-compliance.

What is the Form I-9?: On November 6, 1986, the Immigration Reform and Control Act was enacted to require employers to verify the identity and employment eligibility of their employees to work in the United States and created criminal and civil penalties for employer violations. The Form I-9 is a required form issued by U.S. Citizenship and Immigration Services of the Department of Homeland Security (DHS) used to document this verification. A new model Form I-9 was released on August 1, 2023, though the previous Form I-9 may still be utilized through the end of October. The new Form I-9 has two sections (Section 1 for employee information and attestation, and Section 2 for employer review and verification) and two supplements (Supplement A for preparer/translator certification for Section 1, and Supplement B—formerly Section 3 on the previous Form I-9—for reverification and rehire).

The employee must complete Section 1 no later than the employee's first day of employment, which involves providing their name, address, date of birth, social security number, contact information, citizenship/immigration status, and signature. The employer must complete Section 2 within three business days after the employee's first day of employment. Section 2 requires the employee to provide the employer with unexpired, original documentation specified on the List of Acceptable Documents such as a passport, driver's license, or social security card, to establish their identity and authorization to legally work in the United States. The employer must review these documents, identify them in Section 2, and certify under penalty of perjury that they have accurately verified these documents. The document verification process required for Section 2 is the subject of the recent I-9 procedural changes discussed below.

What are the New Document Verification Requirements for Form I-9 Completion?: The U.S. Immigration Customs Enforcement (ICE) had temporarily allowed remote I-9 verification after March 20, 2020, during the COVID-19 pandemic for employees working remotely. Many employers accomplished remote verification via a video conference with the employee where the employee held up their documentation on camera for virtual inspection. After several extensions, these permitted flexibilities ended on July 31, 2023. As of August 1, 2023, employers must now resume physically inspecting the Form I-9 and employment eligibility documentation for new employees. ICE announced that employers will have a 30-day grace period until August 30, 2023, to ***reverify in person all employment eligibility documents for employees who were hired after March 20, 2020 with virtual or remote examination.*** For all new hires moving forward, the in-person verification requirements resumed on August 1, 2023. The DHS recently approved alternative procedures to allow remote verification to continue only for employers who are registered users in good standing of the government-run, web-based platform E-Verify.

Employers now have three options to accomplish the document verification required by Section 2 of the Form I-9.

1. Employers may perform the inspections in-person themselves by requesting that these employees visit the office or by sending another employee to perform the inspection in person.

2. Employers are permitted to designate an authorized representative, including non-employees such as third-party notaries, to conduct the in-person inspection on behalf of the employer. In fact, DHS permits any person other than the employee in question to act as an employer's authorized representative. Some employers utilize third-party services for

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Getting Back on Course After a Disruption - Elements of a 360 Degree Assessment

Published by Schneider Downs Energy & Resources Services - Authored by Tom Springer

Serious business disruptions come in many shapes and sizes, from changing economic conditions to the "Dismal Ds" (death, divorce, disability, disagreement and departure). In the midst of disruption, it is all too easy to feel beleaguered and overwhelmed and to become fixated on the immediate crisis.

An English friend of mine told me this is known in the British Army as the state of being "head down, bum up" — when troops crawl along the ground to avoid enemy rifle fire. While concentrating on keeping their heads down, they instinctively raise their hindquarters to compensate, thereby avoiding getting shot in the head but inviting an entirely unintended wound!

Whatever the type of business disruption you encounter (short of your own death!), your chances of getting your business back on track and returning to cash flow positive will be increased significantly if you take the time to assess your business and options properly and thoroughly, and from there, create a strategic plan to move forward. Because time is at a premium for those enmeshed in crisis, it is advisable to engage an outside expert to conduct a 360° Assessment.

What is a 360° Assessment? Not all-inclusive, this process begins with a review of the company's historical and projected financial performance, management team, functional areas, capabilities, governance, corporate initiatives, and back office structure. The following key documents and data are typically reviewed:

Financial Documents: Prior year audit reports; Prior year internal financial statements (income statement and balance sheet); Current year interim financial statements (income statement, balance sheet and cash flows); Backlog and vendor data; Trial balance and other financial data; Prior year's budget

Corporate and Operational Documents: Organizational diagrams; Strategy plan; Capability briefing; Business unit (BU) growth plans; All hands presentations; Management business reviews (MBR).

This type of assessment does not constitute an audit or review of financial statements or a formal valuation nor should it be relied upon to disclose errors, irregularities or illegal acts. But, based on the findings, recommendations and action plans can be made to successfully return the business to cash flow positive and/or to stability and growth.

Key Observations, Implications with Recommendations: The results of a 360° Assessment typically uncover issues in the following categories:

Board and Governance: Often, the mistakes and errors that endanger businesses are permitted to occur by the lack of an effective board of advisors, which should hold the management team accountable, or from a poor governance model, which should establish the rules and procedures by which the company makes decisions, undertakes operations and manages stakeholder relationships.

Organizational Structure: Weaknesses in the company's structure (direct reports, employee responsibilities, skill sets, internal controls, etc.) can prevent it from achieving the optimal efficiency that comes from having the right people, with the right skills and experience, in the right positions.

Historic Operating Results and Financial Projections: An in-depth analysis of both historic and projected financial data can reveal unsustainable operating costs, debt ratios, EBITDA margins, DSOs, pipeline and backlog, and other critical valuation considerations. These frequently lead to improved budgeting, reporting and projection recommendations.

Back Office Function: While back offices may seldom make or break a business, they will in fact break one through poor financial control and planning. Compensation plans, technical

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Articles of Interest

Published by Pennsylvania Business Report. Authored by Liz Carey - August 2, 2023.

Legislators from Pennsylvania, Ohio discuss grid reliability

Legislators from Pennsylvania and Ohio met this week to discuss the reliability of the mid-Atlantic power grid on Monday.

Members of the Pennsylvania State Senate and the Ohio General Assembly met at the Pennsylvania Capital Building to discuss Pennsylvania-New Jersey-Maryland Interconnection (PJM), the regional energy transmission organization serving Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, New Jersey, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia and the District of Columbia, the grid it manages, its infrastructure and the future of the region's power production.

Attendees included Pennsylvania Sens. Gene Yaw (R-23), Ryan Aument (R-36), Elder Vogel (R-47) Scot Hutchinson (R-21), and Pat Stefano (R-32), as well as Ohio Reps. Dick Stein (R-54), Roy Klopfenstein (R-82), and Bill Reineke (R-26). The group focused on the importance of coming together to address challenges related to PJM.

"There are few issues before our region's legislators as pressing as the need for a secure, reliable electric grid," Yaw, hair of the Senate Environmental Resources and Energy Committee, said. "Any decision on energy policy will have a significant impact on our day-to-day lives. We had a very productive first meeting and I look forward to partnering with members of the Ohio legislature in the future to advance energy policies that are affordable, sustainable, and protect the viability of the power grid."

PJM officials recently testified before Yaw's committee that PJM will not have sufficient power to meet consumer demand if things continue on the current course. Legislators agreed that could result in increased prices, increased risks of blackouts and increased restriction on energy use.

PJM said that 20 percent of its existing capacity would retire by 2030. Legislators from both states agreed during the meeting that regulating policies like the multistate Regional Greenhouse Gas Initiative (RGGI), overregulation by state agencies, and reliance on renewable energy sources will speed the collapse of the energy grid.

"Residents of both Pennsylvania and Ohio depend on affordable and reliable energy to power their homes and businesses," Aument said. "But projections from PJM show that Pennsylvanians' and Ohioans' current energy use could be in jeopardy if we don't work together to swiftly implement responsible policies that promote a strong, reliable baseload power supply that generates the energy we need no matter the weather or time of day."

The group agreed that states need good energy policy introduced that will keep costs affordable. Yaw referenced his own legislation that aims to improve the permitting process for infrastructure and transmission of natural gas required to sustain the electric grid, as well as his bill to increase fines and penalties for those who vandalize or destroy any part of a power grid.

"This meeting was very informative and reinforced the notion that, at this time, solar fields and windmills are not going to meet our energy needs," Vogel said. "Extreme summer or winter weather could be catastrophic as our grids would either be overwhelmed or not be able to generate enough power – both resulting in power outages and potentially tragic results. Power plants fueled by nuclear, coal, or natural gas have remained consistent energy producers and should not be disregarded." ■

Link to article: *https://pennbizreport.com/news/26927-legislators-from-pennsylvania-ohio-discuss-grid-reliability/*

PIOGA
Pennsylvania Independent Oil & Gas Association

Annual Meeting

SAVE THE DATE!

PIOGA'S ANNUAL MEMBERSHIP MEETING

Wednesday, October 18, 2023
Bella Sera Banquet Center, Canonsburg, PA
2 PM - 4 PM
Members Reception from 4 PM to 6 PM

At this year's Annual Membership Meeting you will hear about the work of the association on legislative, regulatory and market development matters that impact your business.

Guest Speaker

Stacy Garrity
Treasurer, Commonwealth of Pennsylvania

Also included in the meeting:
Chairman's Report, Announcement of Newly Elected Board Members and all Board Member Introductions, President & Executive Director Updates & Staff Introductions
Committee Updates: Environmental, Legislative, Market Development, Safety, Tax, Diversity/ESG, Political Action Committee (PAC) and Membership Development
Member Open Forum

Want to Sponsor the Reception? Contact Danielle Boston at danielle@pioga.org to learn more about the opportunities.

We look forward to you joining this year's Annual Meeting!

National Petroleum Day

National Petroleum Day takes place on August 27th this year. The purpose of the day is to raise awareness about industry issues and to recognize the importance and effect of petroleum resources in our lives. It is a day to honor this priceless natural resource and the great amount of good it has done for humanity, national wealth, and our lives in the 21st century.

Why National Petroleum Day is Important

Petroleum promotes economic development

Oil is an essential part of modern society. Access to affordable electricity in poor countries may empower residents and improve their quality of life. Petroleum may help a country's economy by attracting foreign investment.

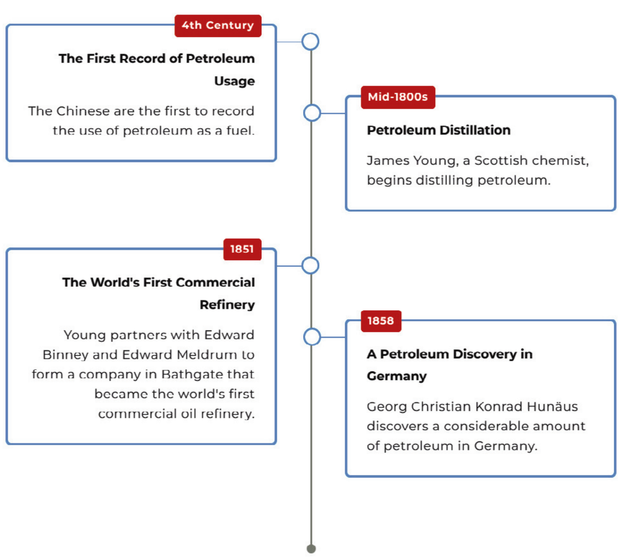
It powers the world

Petroleum has traditionally been the most important source of energy for human consumption. Petroleum products are used to power vehicles, heat buildings, and generate energy. Petroleum is used to power the majority of our globe.

Spreads awareness on petroleums importance

National petroleum day creates awareness of the many benefits of petroleum. It equally educates the public about the versatile and proper use of petroleum in a way that does not harm the environment further than has been done.

NATIONAL PETROLEUM DAY TIMELINE



For more information: *https://nationaltoday.com/national-petroleum-day/*

JUST THE FACTS

Taking Oil and Gas Back to Class

PIOGA's Just the Facts for August 2023 is all about education - specifically an education about all of the items made from oil and natural gas that our students need to go back to school for the year and participate in the fall season's scholastic sports. Please take a moment to study up on the items that are stuffed into backpacks and found in the locker rooms of student-athletes across our region, and be sure to share the information with family, friends and colleagues.

The Facts – The items essential to the start of a school year are no different than many others that make life easier for consumers around the U.S. and across the globe. They can only be made using oil, natural gas or natural gas liquids as raw materials which are then refined into products we use every day.

PIOGA encourages everyone to keep safety at the top of your back-to-school list. This includes watching for children on foot or on bikes on their way to and from school, and never passing a stopped school bus (which also consists of many pieces of equipment made from oil and gas).

Best of luck to all students heading back to the classroom for a productive and safe learning experience this year!

To read more from this month's Just the Facts – and to share it with friends and colleagues – visit the Latest News and Blog section at pioga.org.

PIOGA's 2023 Events

A photo glimpse at some of the great PIOGA events this year!

Check out all PIOGA's Events at https://pioga.org/events/pioga-events/ and come join the fun and training(s)!

Check out some of the event photos below and make sure to visit the Photo Galleries section at pioga.org to view all photos from all events! (https://pioga.org/about/photo-galleries/)

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this function, and others request contact information for a friend or family member of the employee to have them perform this role. Using the employee's friend or family member in this capacity is certainly the most cost effective and the least administratively burdensome option, but employers should be cautious of potential pitfalls as ICE requires strict compliance and employers will be held liable for any violations, whether intentional or unintentional.

3. Employers can become registered users on E-Verify and utilize this online process for new remote verifications moving forward. Note, however, that for the required re-verifications by August 31 of employees hired during the pandemic via remote verification, employers can only utilize E-Verify to become compliant if they were enrolled in E-Verify at the time they originally completed the Form I-9 for that employee and remain currently enrolled. Otherwise, reverification must be done in person by one of the two options listed above.

To ensure reverification compliance by August 30, 2023, employers should (1) make a list of all employees hired after March 20, 2020 who only received a remote inspection of their employment eligibility documents, (2) determine if it can use E-Verify to accomplish reverification and if not, decide whether and how it will use authorized agents to do so, (3) notify the affected employees of what will now be required, and (4) create a plan for dealing with employees who do not make themselves or their documentation available by the deadline. Due to the risk of monetary fines discussed below, if an employer wishes to use an authorized representative to conduct in-person verification on the employer's behalf, they should consult an attorney to ensure they set up appropriate procedure and instructions. Employers should also note that some state laws have additional requirements concerning authorized representatives—for example, remote employees located in California generally cannot have a notary act as the authorized agent, as notaries in California are prohibited by the California Secretary of State from completing or certifying I-9 forms unless they are bonded immigration consultants.

For unionized workforces, employers should notify the union's representatives about the approaching deadline and the steps the employer plans to take to address reverification for those employees whose papers were verified remotely since March 2020. Detailed instructions should be given to any authorized representatives, and as a best practice the employer should retain a copy of the email or other communication by which the employer assigned someone to act as the authorized representative.

Penalties and Ongoing Compliance: ICE utilizes an administrative inspection process to compel production of Form I-9s within three business days. ICE issues thousands of Notices of Inspection to employers every year, and any employer can be subject to inspection. During such an inspection, ICE will review the employer's Form I-9s and supporting documentation for compliance. While employers are given at least 10 business days to make corrections to any technical violations found on the forms, they are subject to monetary fines for all substantive violations, and uncorrected technical violations. Furthermore, employers that are found to have knowingly hired or continued to employ unauthorized workers will be required to cease the activity and may be civilly fined and/or criminally prosecuted. In 2015, an event planning company in California was fined over $600,000 for technical violations on I-9 forms, with the majority of the violations stemming from the employer's consistent failure to sign Section 2 of the Form I-9.

If an employer has not performed a Form I-9 self-audit in the recent past, this would be an ideal time to do so. A self-audit should determine if the employer possesses accurate and complete Form I-9s for every current employee and former employee within the required retention period hired after November 6, 1986. Employers must retain the Form I-9 (and any supplement pages and photocopies made of documentation provided) for each employee for one year from the last date of employment or three years after the first date of employment, whichever is later. The employer should take the following steps based on the audit results:

Continued on top of page 17

As an introduction to the below *Article of Interest,* is a press release statement from IPAA - ***'Industry Excluded from White House Methane Summit'***. (7.27.23)

On July 26, the first ever White House Methane Summit took place "around the urgent need to dramatically reduce methane emissions, especially from leaks in the oil and gas sector, as a way to protect public health, create good-paying jobs, save consumers money, and advance President Biden's ambitious climate agenda." (See White House fact sheet here).[1]

This summit noticeably excluded the oil and natural gas industry, who are responsible for significant methane emissions reductions. IPAA's Energy In Depth wrote about the summit in ***"What You Need to Know About President Biden's Methane Agenda Before the Inaugural White House Methane Summit"*** (below) and today (7.27.23) IPAA President & CEO Jeff Eshelman was quoted in the Washington Examiner on industry being left out of the loop:

"The U.S. oil and natural gas industry is responsible for, and committed to, achieving methane emissions reductions, yet is absent from the invitee list for the White House's methane summit. Our members are committed to improving environmental performance. American producers are taking the right steps to produce energy cleanly and responsibly. We're the envy of the world in reducing emissions and we have the cleanest air in more than two decades because of natural gas," he said.

1 https://www.whitehouse.gov/briefing-room/statements-releases/2023/07/26/fact-sheet-biden-harris-administration-hosts-white-house-methane-summit-to-tackle-dangerous-climate-pollution-while-creating-good-paying-jobs-and-protecting-community-health

Articles of Interest

Published by Energy In Depth- July 25, 2023. Authored by Nicole Jacobs.

What You Need To Know About President Biden's Methane Agenda Before The Inaugural White House Methane Summit

Amidst a historically busy methane regulatory agenda, the White House will hold its first-ever methane summit on July 26. The few details available about the summit state that the event will convene "state, local and federal leaders" to spotlight how governments are detecting and responding to methane emissions.

Notably, the American oil and natural gas industry – the sector responsible for, and committed to, achieving methane emissions reductions – is absent from the invitee list.

Throughout President Biden's term, the White House has consistently conveyed mixed messages on domestic energy production and pursued a patchwork of disordered and often duplicative methane regulations that leave the domestic energy industry with more questions than answers.

MERP Continues to Mystify

First, the passage of the Inflation Reduction Act (IRA) last August established the Methane Emissions Response Program (MERP), which tasked Environmental Protection Agency with charging oil and gas producers, pipeline companies, and other emitters up to $1,500 per ton on methane emissions. Critics of MERP pointed out that the EPA has no experience or processes in place to collect tax dollars from American companies, and the tax would present a new, costly burden to smaller producers.

Independent Petroleum Association of America President and CEO Jeff Eshelman pushed back on the tax established under MERP during a congressional hearing earlier this year, saying:

"[The methane fee] is an inappropriate and unworkable methane emissions tax … This tax was included despite not ever being considered in a hearing, receiving expert testimony in favor or opposition, no economic analysis, and no consideration of efficacy."

Continues on next page

The IRA also authorized $1 billion in grant funds under MERP to distribute to oil and natural gas companies to help producers reduce methane emissions and comply with the new regulations. However, the administration delayed awarding the grants for nearly a year after the program was enacted, prompting criticism from bipartisan congressional leaders. Senator Manchin wrote:

"The Congressional intent behind this provision is crystal clear: the EPA was directed to provide financial support to energy companies to reduce methane emissions before any new fees would be assessed. Unfortunately, nearly 10 months later, not a single penny of funding has gone out the door."

Just this week, EPA and the Department of Energy announced that the agencies will begin distributing an initial $350 million of MERP funds in proportion to states' concentration of low-producing wells in order to "improve the economic competitiveness of small and medium sized producers" while reducing methane emissions.

While the grant funding announcement was celebrated as a positive step, IPAA pointed out that there is still significant ambiguity around the MERP program, as the EPA has not finalized the regulatory framework or tax structure set to begin in January 2024:

"IPAA views EPA's collaboration with DOE on the Methane Emissions Reduction Program as a positive step. But there remains much ambiguity because from what we're reading, DOE would grant funding to states to assist marginal well producers to comply with regulations. Yet there are no federal regulations yet, and the timing for those regulations is uncertain."

EPA Proposes Outsourcing Methane Detection to Activists

But oil and natural gas companies also point out that MERP is duplicative with a separate set of controversial and transformative methane regulations that EPA is still finalizing.

Although the EPA's own 2023 Draft Emissions Inventory[1] shows that U.S. oil and natural gas methane emissions continue to decline, in November 2022, EPA published a supplemental proposal to the agency's proposed rules to reduce methane emissions at oil and natural gas facilities. The supplemental proposal introduced the highly controversial Super-Emitter Response Program (SERP), which would allow private citizens and activist groups to police oil wells and pipelines for methane leaks and compel oil and gas facilities to act on data collected by third parties.

Industry and government leaders have spoken out against SERP, flagging credibility, safety and security concerns over the program which Bloomberg Law called a "test case for citizen air monitoring."

The program, if enacted, is certain to invite legal, regulatory, and oversight scrutiny. In April, House Oversight Committee Chair James Comer (R-KY) led a letter[2] to EPA Administrator Regan notifying him of an investigation into the agency's proposed methane rule:

"The delegation of enforcement duties to third-parties and the EPA's determination that oversight is an 'unnecessary task' raises serious concerns that these 'Super-Emitter' determinations will be biased and improper… ***Allowing third-party activist groups and environmental organizations the legal authority to function as deputized enforcers of an arbitrary emissions threshold*** *is not prescribed within the CAA [Clean Air Act] statute." (Emphasis added)*

EPA's proposed rules to further regulate the oil and natural gas industry's methane emissions are due to be finalized as soon as August of this year, but EPA is already adjusting other rules in anticipation that SERP will cause an influx of emissions reporting. Just this month, the agency moved forward with a 600-plus page amendment[3] that proposes to create a new category in the agency's GHG reporting program for "large

1 https://www.epa.gov/system/files/documents/2023-02/US-GHG-Inventory-2023-Main-Text.pdf

2 https://oversight.house.gov/wp-content/uploads/2023/04/118-EPA-Methane-Rule-Letter.pdf

3 https://www.epa.gov/system/files/documents/2023-07/SAN%2010246%20Subpart%20W%20NPRM%20Premable%20and%20Rule_Admin.pdf

Continued on top of page 16

Methane Summit *Continued from page 15*

emissions events" and "super-emitters."

The proposed amendment would require companies to quantify and report emissions based on a new definition of "credible information" that includes data collected from SERP. This change would put a reporting burden on companies to catalog and investigate SERP data, which could be obtained by private citizens or activists using unreliable technologies like aerial monitoring and satellite imagery.

Given the White House methane summit's stated focus on highlighting emissions detection technologies, with a specific focus on pipeline leaks, the event will likely bring the highly controversial SERP program to the forefront as the EPA's methane regulations are finalized.

Bottom Line: Oil and natural gas companies are ultimately the actors who will be responsible for significant methane emissions reductions – and they're already doing it. Significant strides have been made through initiatives like the Environmental Partnership, a voluntary initiative to reduce methane emissions whose members make up more than 70 percent of the domestic onshore oil and natural gas industry. Unfortunately, the Biden administration has taken a punitive and duplicative approach to methane regulation to date. As the White House kicks off its first methane summit, leaders in the administration should involve the domestic energy industry in any policy discussion regarding emissions reductions in order to ensure success. ■

Article Link: *https://www.energyindepth.org/what-you-need-to-know-about-president-bidens-methane-agenda-before-the-inaugural-white-house-methane-summit/*

Other Articles of Interest:

- **Why Republicans want to kill the compromise methane fee**

https://www.eenews.net/articles/why-republicans-want-to-kill-the-compromise-methane-fee/

-**Bipartisan Congressional Leaders Question EPA's Methane Agenda**

https://www.energyindepth.org/bipartisan-congressional-leaders-question-epas-methane-agenda/?154

- **Biden Wants Citizens to Police Oil Wells for Methane. Industry Leaders Are Pushing Back**

https://www.bloomberg.com/news/articles/2023-02-13/biden-plan-enlisting-citizens-to-police-oil-wells-for-methane-ripped-by-industry?sref=B2BBHw9t#xj4y7vzkg

360 Assessment *Continued from page 7*

accounting, internal controls, indirect cost rates, utilization rates, monthly closing processes, and human resources procedures are among the areas where changes may be necessary.

Business Development: Making sure that business development is strategically positioned to grow and scale the business frequently requires the adoption of a Future State Business Development and Marketing structure that aligns resources and delineates responsibility and accountability.

Future Roadmap: The conclusion of this assessment is a road map to implementing the recommendations and action plans. This needs to be aligned with the company's strategic business plan, vision, goals and objectives over the next three to five years.

The road map provides focus, reduces the risk of misaligning resources in pursuit of goals, and prevents the pursuit of ill-defined opportunities that might forestall progress toward your company's goals. It also provides a checklist of actions and something to measure progress against.

Conclusion

Whether you chose to follow the plan outlined in this blog or not, I hope I made one thing made clear: disruptions, in whatever form they take, don't have to be catastrophic to your business provided you take the time to properly assess your company's strengths and weaknesses and your options, and then create a strategic plan to move forward. ■

About The Author: Tom Springer has over 20 years of experience providing strategic planning, business development, interim management and technical advisory services for private equity firms, portfolio companies and public and private enterprises. Tom is skilled at growing enterprise value by creating highly productive sales and service teams, developing new lines of business and fostering client relationships. He is known for solving complex business problems by aligning technology with business and operations.

You can contact Tom at tspringer@schneiderdowns.com.

I-9 *Continued from page 13*

• **For current employees with no Form I-9 on file whatsoever**:

- Immediately have the employee complete Section 1 of the current Form I-9.

- Inspect the employee's employment eligibility documents and complete Section 2.

- Do not backdate anything on the form, but be sure to specify the employee's original hire date where requested in Section 2.

• **For former employees with no Form I-9 on file whatsoever:**

- Do not recreate the form.

- Complete a memo to file with an explanation as to why there is no Form I-9 and when/how you realized the error.

• **For current employees with inaccurate or incomplete Form I-9s on file, two options can be used:**

- Draw a single line through the incorrect information, enter the correct information, and put your initials and date next to the correction.

- If Section 2 is not filled out, this would be considered a major error for which a completely new Form I-9 can be filled out. Attach this to the original Form I-9, with an explanation describing why the change was made via a short memo.

- For former employees with inaccurate or incomplete Form I-9s on file, two options can be used:

- Draw a single line through the incorrect information, enter the correct information, and put your initials and date next to the correction

- You can fill out previously incomplete sections, also putting your initials and date, but you cannot add any information that requires the former employee (such as documentation verification or their signature). Note instances where you were unable to make corrections on a memo and attach it to the Form I-9.

This is an ideal time for employers to review their compliance with the Form I-9 requirements, both generally and in light of the new verification rules.

Alexandra G. Farone, Esq.

PIOGATech

PIOGA's Technical Seminar Series

Pennsylvania Independent Oil & Gas Association

The PIOGA Safety Committee will be holding a *FIRST-AID, CPR and AED training/certification class* on September 22 at CNX in Washington, Pa.

Upon successful completion of this training, you will earn a certification that satisfies OSHA-mandated job requirements, workplace or other regulatory requirements, and is valid for 2 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 who are members of PIOGA member companies. The training will provide you with the knowledge and skills to ensure you can provide life-saving care when it's needed most that includes cardio-pulmonary resuscitation (CPR), First-aid, and the use of an automated external defibrillator (AED). 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".

Registration now open! https://members.pioga.org/events/register.aspx?id=1773683

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.

PIOGA PARTNERS 2023

Pennsylvania Independent Oil & Gas Association

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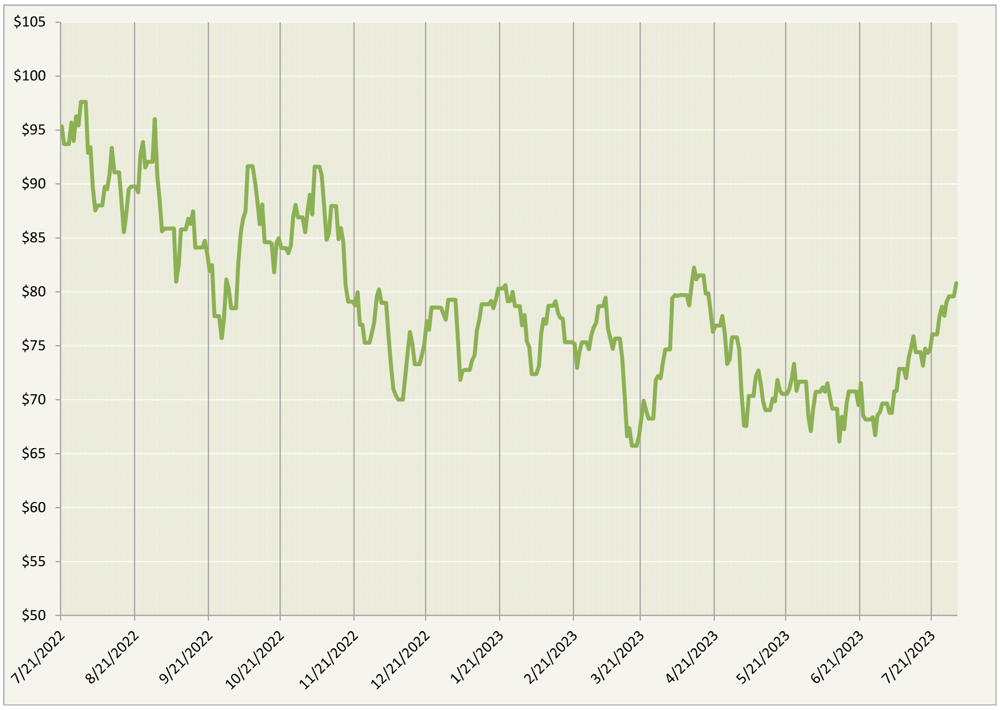
Oil & Gas Dashboard

Penn Grade Crude Oil Prices



Sources

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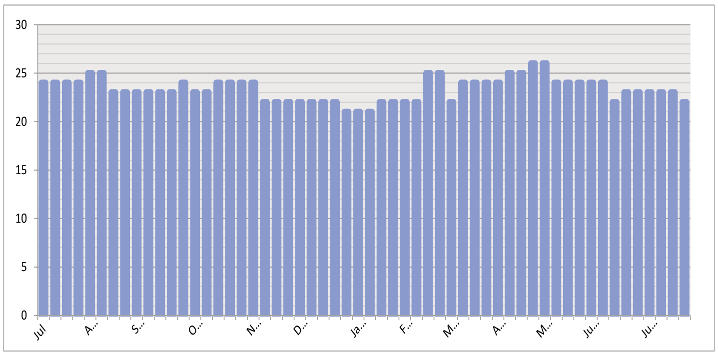
Ergon Oil Purchasing: www.ergon.com/crudeoil
Gas futures: quotes.ino.com/exchanges/?r=NYMEX_NG
Baker Hughes rig count: bakerhughesrig-count.gcs-web.com/na-rig-count
NYMEX strip chart: Mid American Natural Resources
Basis futures values: BHE Eastern Energy Field Services

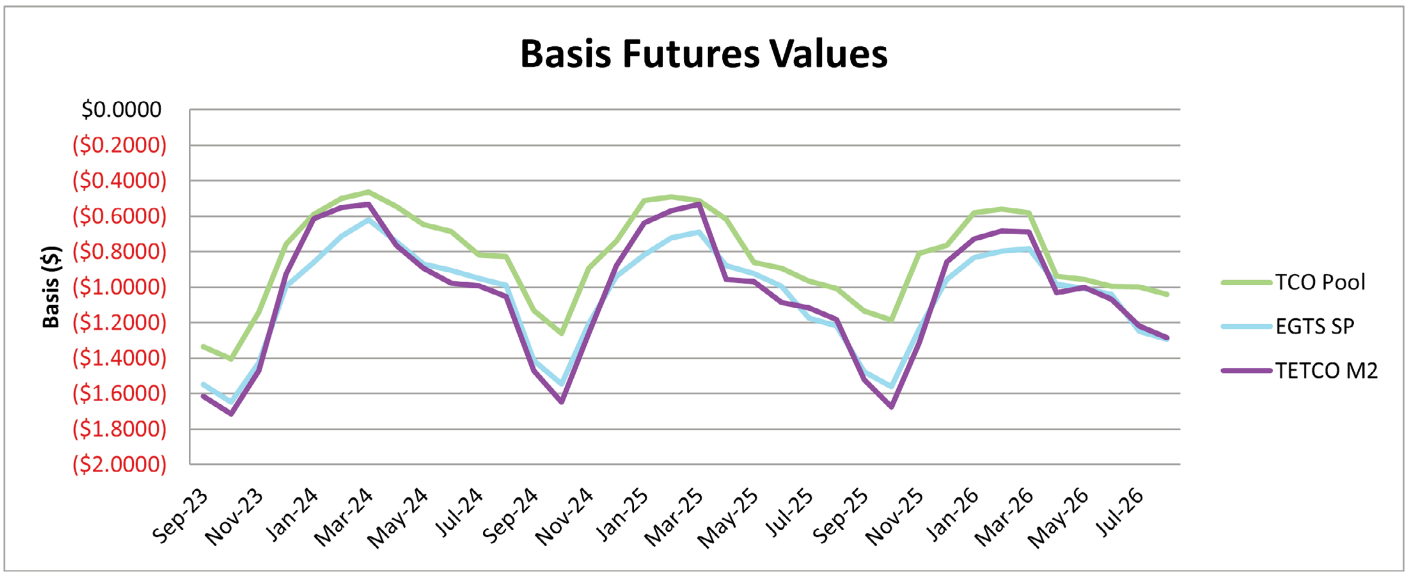
Natural Gas Futures Closing Prices

September 2023	2.578
October	2.689
November	3.088
December	3.520
January 2024	3.731
February	3.649
March	3.397
April	3.104
May	3.091
June	3.180

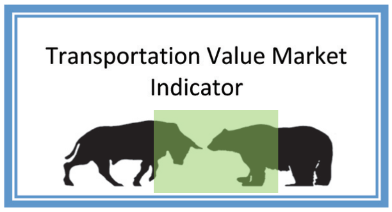
Prices as of August 2, 2023

Pennsylvania Rig Count





Northeast Pricing Report — July 2023



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

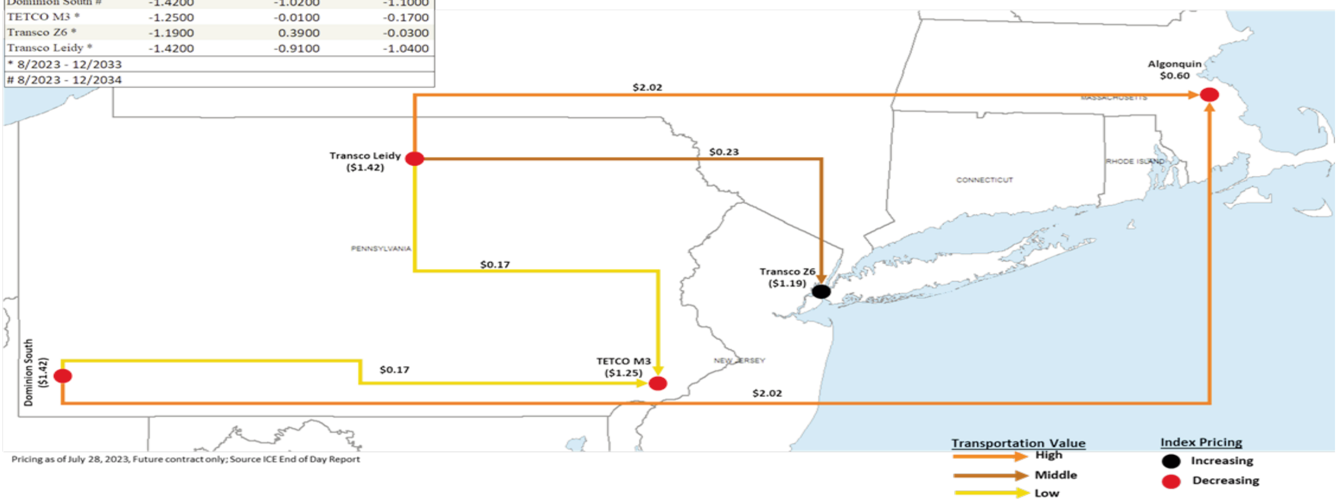
Henry Hub prices seem to have stabilized due to prolonged cooling and LNG demand. Still not enough to lift prices into the $3 range. Basis prices have not followed that trend. Transco Z6 did increase by $0.06 per MMBtu and Transco Leidy was flat in front month trading. Dominion South and TETCO M3 dropped $0.07 and $0.03 per MMBtu. Algonquin slumped $0.92 per MMBtu from the previous month. All locations fell for the rolling one-year trading period. Algonquin dipped the most at $.28 per MMBtu followed by Transco Z6 which decreased by $0.16 per MMBtu, and TETCO M3 declined at $0.09 per MMBtu. Transco Leidy and Dominion South barely moved down by $0.02 and $0.01 respectively. All trading points decreased for the rolling full term trading period as well. TETCO M3 and Transco Z6 dropped the most at $0.05 per MMBtu, with Transco Leidy dropping by $0.04 per MMBtu. Algonquin and Dominion South both declined $0.02 per MMBtu.

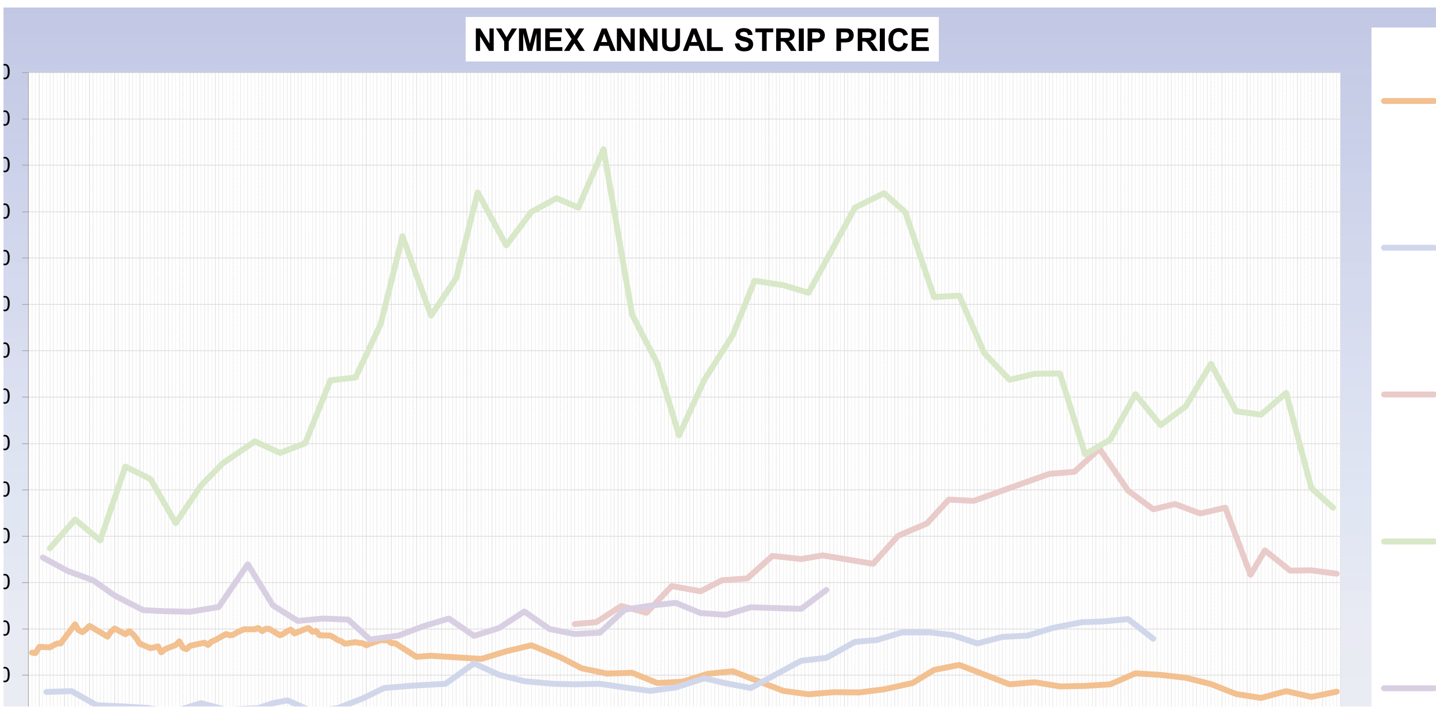
Transportation routes were a mixed bag. There was no clear value trend created. Both Dominion South and Transco Leidy routes to Algonquin decreased the most at $0.92 and $0.85 per MMBtu respectively representing ~30% drop in value from July. Dominion South to TETCO M3 increased $0.04 per MMBtu while Transco Leidy to TETCO M3 decreased by $0.03 per MMBtu. Transco Leidy to Transco Z6 increased by $0.06 per MMBtu, and TETCO M3 to Transco Z6 increased by $0.09 per MMBtu.

Natural Gas Basis Future Pricing ($/MMBtu)

Location	8/2023	8/2023-7/2024	8/2023-12/2028
	Pricing Term		
Algonquin	0.6000	3.0800	2.8500
Dominion South #	-1.4200	-1.0200	-1.1000
TETCO M3 *	-1.2500	-0.0100	-0.1700
Transco Z6 *	-1.1900	0.3900	-0.0300
Transco Leidy *	-1.4200	-0.9100	-1.0400

* 8/2023 - 12/2033
\# 8/2023 - 12/2034





Spud Report: July

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	Date	API#	County	Municipality
Bearcat Oil Co *	2	7/14/23	123-48700	Warren	Mead Twp
		7/29/23	123-48701	Warren	Mead Twp
Cameron Energy Co *	2	7/5/2023	083-57554	McKean	Hamilton Twp
		7/19/23	083-57555	McKean	Hamilton Twp
Chesapeake Appalachia	5	7/5/2023	015-23865	Bradford	Terry Twp
		7/5/2023	015-23866	Bradford	Terry Twp
		7/5/2023	015-23864	Bradford	Terry Twp
		7/11/23	015-23850	Bradford	Wyalusing
		7/12/23	015-23849	Bradford	Wyalusing
CNX Gas Co LLC	4	8/3/23	059-28316	Greene	Morris Twp
		8/4/23	059-28315	Greene	Morris Twp
		8/5/23	059-28314	Greene	Morris Twp
		8/6/23	059-28317	Greene	Morris Twp
KCS Energy Inc *		7/18/23	123-48706	Warren	Watson Twp
Lindell & Maney LLC *		7/22/23	123-48609	Warren	Brokenstraw
MSL Oil & Gas Corp *	4	7/13/23	083-57563	McKean	Hamilton Twp
		7/17/23	083-57562	McKean	Hamilton Twp
		7/21/23	083-57565	McKean	Hamilton Twp
		8/9/23	083-57561	McKean	Hamilton Twp
PA Gen Energy Co LLC	4	8/7/23	117-22219	Tioga	Union Twp
		8/10/23	117-22197	Tioga	Union Twp
		8/11/23	117-22198	Tioga	Union Twp
		8/12/23	117-22199	Tioga	Union Twp
Pennhills Resources	7	7/3/2023	053-31024	Forest	Howe Twp
		7/10/23	053-31010	Forest	Howe Twp
		7/16/23	053-31030	Forest	Howe Twp
		7/20/23	053-31021	Forest	Howe Twp
		7/23/23	053-31022	Forest	Howe Twp
		7/24/23	053-31023	Forest	Howe Twp
		8/8/23	053-31009	Forest	Howe Twp
Range Resources	5	7/1/2023	125-29067	Washington	Smith Twp
		7/1/2023	125-29068	Washington	Smith Twp
		7/2/2023	125-29062	Washington	Smith Twp
		7/2/2023	125-29063	Washington	Smith Twp
		7/3/2023	125-29064	Washington	Smith Twp
Seneca Resources	7	7/25/23	117-22192	Tioga	Middlebury
		7/26/23	117-22210	Tioga	Middlebury
		7/27/23	117-22212	Tioga	Middlebury
		7/28/23	117-22215	Tioga	Middlebury
		7/31/23	117-22211	Tioga	Middlebury
		8/1/23	117-22213	Tioga	Middlebury
		8/2/23	117-22214	Tioga	Middlebury
Snyder Brothers Inc.		7/5/2023	005-31476	Armstrong	Boggs Twp
Wilmoth Interests Inc. *	3	7/3/2023	123-48680	Warren	Mead Twp
		7/30/23	123-48677	Warren	Mead Twp
		7/15/23	123-48681	Warren	Sheffield Twp

	July	June	May	April	March
Total Wells	**46**	**68**	**40**	**36**	**55**
Unconventional Gas	26	45	19	30	41
Conventional Gas	0	1	0	0	0
Oil	13	17	14	6	14
Combination Oil/Gas	7	5	0	0	0

New PIOGA members — welcome!

GILBERT OIL AND GAS LLC
Chad Wagner
1116 Gallagher Rd. Dayton, Pa 16222
Producer Member

MOUNTAIN ENERGY
Bradley Bledsoe
1593 Aleppo Rd. Aleppo, Pa 15310
Producer Member

Calendar

PIOGA events

Information: www.pioga.org > PIOGA Events

PIOGA Lunch & Learn - Managing your Cyber Threat-Landscape
August 16. Virtual or in-person at PIOGA

26th Annual Divot Diggers Golf Outing & Steak Fry
August 17. Tam O'Shanter of PA Golf Course

Birds & BBQ Clay Shoot
September 14. West Penn Sportsmen's Club

PIOGATech: Firest-Aid/CPR/AED Training
September 22. CNX - Washington, PA.

PIOGA's Annual Membership Meeting & Reception
October 19. Bella Sera - Canonsburg, PA.

Other events

GO-WV Sports Weekend
September 15-16. Bridgeport Country Club, Bridegeport, WV

SOOGA Annual Trade Show
September 21. ESB Community Building, Marietta, OH (sooga.org)

IOGCC Annual Conference
October 16-18. Park Cit, Utah (iogcc.ok.gov)

IPAA Annual Meeting
November 6-8. San Antonio, TX (ipaa.org)

PIOGA Members and Industry Partners - Please email meghan@pioga.org to advertise upcoming events.

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717-234-8525

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