Three bills have been introduced by Democrats in the Ohio General Assembly that would (yet again) open Ohio oil and gas law. Legislation introduced by State Representative Bob Hagan (Youngstown) and State Senator Mike Skindell (Lakewood) would require all chemical information from a well site to be reported to ODNR. Additionally, legislation introduced by State Senator Joe Schiavoni (Canfield) would universally change oil and gas setbacks to 300 feet regardless of the setting.

Senator Schiavoni’s legislation – Senate Bill 378 – would require all oil and gas setbacks regardless of location or equipment to be set at 300 feet. This includes setbacks from a well, tank battery, or occupied dwelling and does not differentiate between a well in an urbanized or non-urbanized area. The bill goes on to establish a 75 foot setback for equipment (tank battery, separator, or other) from a property line not within the drilling unit. Finally, the bill states that an operator will ensure that any oil or brine storage tank meets 6 new standards, including requiring them to be above ground, not exceed a certain height, and have lightning arrestors.

The other two bills are companion bills (meaning they are identical upon their introduction) introduced by Rep. Bob Hagan and Sen. Mike Skindell. Their bills would place additional requirements on chemical disclosure on horizontal wells. This would include identifying the type, volume, and “geochemistry” of every projected fluid to be used during a hydraulic fracturing operation with the permit application. Chemicals that a company deems are a trade secret must be granted or denied such a designation by the Chief of the Division via order.

However, ODNR would still compile all trade secret information via a database should the information be needed by a “medical professional”.

Speaking of medical professionals, the legislation also changes to ever-popular “gag order” (as environmentalists call it) regarding trade secret disclosure to medical professionals. The bill expands the current provision tying disclosure of this information from the production operations of a well to the construction, drilling, stimulation, drilling or completion of the well, other production operations or transportation accidents carrying the “chemicals” to and from the wellsite.

Finally, the legislation would remove a provision enacted in Senate Bill 315, which would allow companies to disclose chemical information either via their well logs to ODNR or by utilizing FracFocus. The bill would no longer allow disclosure of chemicals to the FracFocus website.

“It’s bad public health policy for legislators to take prescriptions from the oil and gas industry, and that’s exactly what they did when writing the gag order,” said Rep. Hagan via a prepared statement. “Ohioans would be better served by doctors deciding what is right for their patients, not by oil and gas executives trying to suppress vital medical information. We certainly don’t use family physicians to operate rotary rigs, so I don’t see why we should let oil tycoons decide what kind of information is medically necessary.”

While the Hagan/Skindell bills appear to be destined to die in their respective committees, the legislation introduced by Sen. Schiavoni continues to push what environmental interests see as “reasonable” setbacks. This discussion tends to keep popping up around the Ohio Statehouse.
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President’s Comments

We, the 3,000, have a voice!

It is time once again for the great American democratic tradition of elections. In general, I believe most politicians are concerned about doing a good job for their constituents; however, they are asked to do a difficult job. They are asked to pass legislation on complex issues, most of which they have very little first-hand knowledge.

Politicians need information to understand the complex issues surrounding oil and gas. They need input from people like you who are experienced in the oil and gas industry. They need your help to craft the best solutions to complex issues. And, they want to hear from you, their local constituent. If they do not hear from you, they rightly assume that they are doing the right thing.

The Ohio Oil and Gas Association has nearly 3,000 members and, together, we are a strong voice for common sense solutions. This is a critical time for our industry. There is, perhaps, no more important time than now to get informed, be involved, and stay active!

The first amendment says, in part, that people shall have the right to petition the government for a redress of grievances. Simply put, you have the right to appeal to government for, or against policies that affect you.

Recent statutory changes impacting oil and gas drilling and production are being implemented, and a number of you have indicated your concerns. Continued on page 11

Jerry James
OOGA President

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Ohio’s Attorney General Supports RUMAs

By: Mike Settineri, Vorys, Sater, Seymour and Pease, LLP, Columbus

Ohio’s Attorney General has issued an opinion supporting the use of road use and maintenance agreements (or RUMAs). In the September 19, 2012 opinion (AGO 2012-029), the Attorney General wrote that counties have the authority to enter into RUMAs and that the private entity repairing roadways must pay prevailing wages but does not have to comply with state competitive bidding and professional design requirements. The Attorney General also advised that county prosecutors may request that RUMAs be submitted to their offices for formal review and approval prior to the execution of a RUMA.

The Richland County Prosecuting Attorney submitted the request for opinion to the Attorney General’s office on May 17, 2012. The request sought advice on whether counties have the authority to enter into RUMAs with private entities in the oil and gas industry to improve and repair roads. The Prosecuting Attorney also asked whether the private entity would be required to comply with the same competitive bidding, professional design and prevailing wage requirements that public entities must follow.

Responding to the Prosecuting Attorney’s request with a twenty-page opinion, the Attorney General advised that counties have the requisite statutory authority to enter into RUMAs with private companies to improve and repair county roads at no cost to the county. The Attorney General relied on several Ohio statutes related to a county’s ability to enter into arrangements with private entities, including the recently revised version of Section 1509.06 of the Revised Code. That statute was revised as part of Am. Sub. Senate Bill 315 and requires an applicant for a drilling permit to include with the permit application (1) a copy of any RUMA entered into with the applicable county, township or municipal corporation or (2) an affidavit stating that the applicant made a good faith effort to enter into a RUMA.

The Attorney General also advised the Prosecuting Attorney that a private company that has executed a RUMA with a county does not have to follow the competitive bidding and professional design requirements that apply to public authorities. This avoids delays to drilling schedules that likely would result if a producer had to follow state competitive bidding and professional design procedures.

Although he found that competitive bidding did not apply to RUMA authorized work, the Attorney General opined that Ohio’s prevailing wage laws on which most road contractors are well versed will apply to RUMAs. This conclusion follows a prior position in a successful appeal by the Attorney General’s office that agreements to construct public improvements with private funds can still be subject to Ohio’s prevailing wage requirements. The Attorney General’s opinion on prevailing wage is not legally binding but will likely come up in RUMA discussions with local authorities.

In closing, it should be noted that counties and townships do not have the authority to limit or impede legal traffic on their roads. To do otherwise will implicate the nondiscrimination provision of Section 1509.02 of the Revised Code that prevents local authorities from taking actions that discriminate against, impede or obstruct oil and gas activities. Local authorities do have the authority to require road repairs as a condition of oversized load permits but only if exercised on a nondiscriminatory basis.
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From left: Owen J. Rarric, John B. Schomer, David E. Butz, Dean A. Swift, William G. Williams, Nathan D. Vaughan, Scott M. Zurakowski and Gregory W. Watts.

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Ohio Geological Survey

Serenko Named New Chief of OGS

The following is a press release issued on September 28th by the Ohio Department of Natural Resources (ODNR) regarding Director Zehringer appointing a new Chief of the Ohio Geological Survey.

Ohio Department of Natural Resources (ODNR) Director James Zehringer today announced Thomas J. Serenko, Ph.D., as the new chief of ODNR’s Division of Geological Survey.

A native Ohioan and graduate of Youngstown State University, Serenko’s professional career includes international experience as a geologist in Chile, Tajikistan, Switzerland and Kazakhstan.

“Dr. Serenko’s 25 years of experience as a private industry geologist, coupled with his exceptional academic background, will serve all Ohioans well as he begins his new role as the state geologist,” said Zehringer.

Serenko earned his doctorate degree in geology from Imperial College, London, United Kingdom. He received his master’s degree in geology from the Colorado School of Mines, Golden, Colo., and his bachelor’s degree in geology from Youngstown State University. His writings have been published in several major industry journals, and he has also served as an adjunct professor at the University of Texas at Austin.

He most recently managed a mine in Nevada that produces 700,000 tons per year of limestone and 50,000 tons per year of clay. His duties included overseeing all permitting and environmental compliance, safety, mine development, mine design and exploration.

Serenko has also been employed as a mining and exploration manager at Southern Clay Products Inc., in Gonzales, Texas, and has conducted extensive coal surveys throughout Kentucky.
The Natural Resources Defense Council (NRDC) has instituted an effort in the state of Ohio to push local governments to oppose oil and gas activity within their boundaries.

The movement, entitled the Community Fracking Defense Project, is an expansion of a parent program already up and running in New York. NRDC announced in September their plans to expand the New York program into Pennsylvania and Ohio. At its core, the group uses local zoning and other restrictions on hydraulic fracturing in an effort to curb oil and gas production. To this end, the group will be comprised of lawyers ready to assist local governments in their efforts to limit oil and gas activities.

Per the NRDC media release, these state-based projects will be focused on a few key missions. First, the group will be assisting in the drafting of local laws and land use plans that control the extent of fracking within their borders and/or limit the harmful effects of fracking. The group will also be working to re-assert communities' rights to protect themselves under state law. Lastly, they will be defending relevant zoning provisions and other local laws that are challenged in court.

These missions appear to be what is in the future for the state of Ohio. Per the media release, the following was mentioned as an outline for the project's Ohio activities:

“Advocating for a significant upgrade of the state decision-making rules and practices to secure a genuine role for citizen participation in the process, including: access to information, ability to comment on rules and regulations, right of appeal on the issuance of permits, and the capacity of local government to advance land use and zoning protection relating to oil and gas extraction in their jurisdictions.”

“For too long, communities around the country have had little defense against the oil and gas companies that sweep into their neighborhoods and start fracking without regard for the impacts on the people who live there,” stated Kate Sinding, a senior NRDC attorney noted in a prepared statement. “If a city or town decides it doesn’t want fracking or wants to restrict it, their voice should be heard and respected.”

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Utica Shale

Ohio Map of Utica Shale Activity

Provided By: MacKenzie Land & Exploration Ltd.
Home Rule Provisions

Local Governments, CELDF Appear to Want to Test ODNR’s “Sole and Exclusive” Authority

By: Brian Hickman

Recently several Ohio communities have passed local ordinances (including a proposed ballot initiative) that are designed to test the Ohio Department of Natural Resources’ (ODNR) “sole and exclusive” regulatory authority under Ohio law. This movement is currently being pursued by Pennsylvania environmental group, the Community Environmental Legal Defense Fund (CELDF). The CELDF has even established a “Fracking Bill of Rights” as a guidance document to be used when crafting a local ordinance.

The CELDF was formed in Pennsylvania in 2010, where they were eventually successful in lobbying the Pittsburgh City Council to ban hydraulic fracturing. Since this time, CELDF has been active in Ohio as a “resource” for those organizing community campaigns against oil and gas activity in their area.

Recently two Ohio communities have utilized these CELDF resources to enact ordinances that would ban oil and gas activity. In Yellow Springs, the Village Council enacted an ordinance which bans oil and gas activity within the village. In Mansfield, a ballot initiative has been created in an effort to block underground injection control (or UIC) activities in the area.

On October 1st, the Yellow Springs Village Council voted 3-2 to enact a “Community Bill of Rights” that would ban hydraulic fracturing in the village. Reports state that the CELDF drafted the ordinance at the request of a local environmental group, the Gas and Oil Drilling Awareness and Education (GODAE).

It is the view of the local authority per the ordinance that it is superior to all other state laws and regulations. For example, if the state issued an oil and gas permit, it would violate the ordinance and is “illegitimate law”. If a company were to violate the ordinance or drill within the area, their “personhood rights” under the Ohio and U.S. Constitutions would be stripped from them, along with certain Commerce Clause and Contracts Clause provisions. The ordinance also recognizes the “Rights of Nature” to exist, providing local citizens with the authority to enforce these rights.

“It was a wonderful, small victory we won in passing this ordinance,” GODAE member Dimi Reber stated. “I hope our challenge to corporations will give courage to other communities who may feel helpless in the face of the power of corporations, and who may want the information to help them deal with it.”

In Mansfield, recent interest to cite UIC wells within the city
If you are concerned about these changes, then act now. Politicians are out in full force campaigning and asking for your vote. During this election cycle, they are readily accessible and they are listening. As a vital member of this industry, you can help!

Get Informed
Keep current with new legislation and regulatory proposals.

Be Involved
Explain in common sense terms to your local elected officials how these proposals will impact your ability to do business in Ohio.

Stay Active
Stay engaged with our elected officials, because a very small number of people who do not want oil and gas development can make a very big noise.

Why do they make this noise? For two reasons that will never change. First, because bad news sells, and second, they will get a sympathetic ear in the press. Because the people opposed to oil and gas development will continue to throw out falsehoods and fear mongering, we can continue to expect politicians to respond. It is up to each of us to meet with them and provide the truth and reality.

As an oil and gas industry professional, and one of over 3,000 members of OOGA, you have the perfect opportunity to provide valuable information on our industry and to have your voice heard. The time is now!

Jerry James
President
State Issue Two

Protect Your Vote Ohio Urges Defeat of State Issue Two

If you are voting early or voting on November 6, we urge you to vote no on this proposed amendment to the state constitution. Issue 2 would forever change the process by which Ohio’s legislative and Congressional districts are drawn.

If passed, State Issue 2 would replace our current redistricting process, which is handled by our elected representatives, and replace it with a 12-member commission. Members of this commission are selected by appellate court judges, from applicants. If Issue 2 passes, the new process would begin with the 2014 elections.

The proposal contained in Issue 2 is a seriously flawed plan. Many Ohio organizations, including the Ohio State Bar Association, the Ohio Farm Bureau, the Ohio Manufacturers’ Association and Ohio Society of CPAs oppose Issue 2. The flaws contained in Issue 2 reveal a poorly conceived redistricting plan.

The amendment fails to make commission members accountable to anyone. Not the voters. Not the executive, legislative or judicial branches of state government. Commission member cannot be removed by citizens or elected officials.

There are no spending limits detailed in the proposal. Commission members set their own salaries, as well as funding for a permanent staff, lawyers and consultants. The amendment does not specify checks-and-balances systems to guard against abuse.

Proponents say Issue 2 is designed to allow “people, not politicians” to serve on the Commission. This is misleading. The fact is millions of Ohioans would be excluded from service. The odd and illogical eligibility rules exclude some people based on their state or federal work history, who they are related to, if they participate in political activities or if they have missed certain voting cycles. People who are elected at the local level, or who work for cities, counties, townships, villages and school boards are welcome to apply. The fact is, there are thousands of politicians who can serve.

The Ohio State Bar Association (OSBA) opposes Issue 2 because it says it is a misuse of judges and compromises the objective role of the judiciary. The Ohio Judicial Conference agreed with the OSBA stance and the association that represents appellate court judges also has expressed serious concerns.

Redistricting reform, while needed, is serious business. The way district boundary lines are shaped can alter the face of Ohio politics for many years. Ohio voters deserve a reform process that is fair, well thought-out and balanced. The plan before Ohio voters in this year’s election is an untested and extremely bad idea that would be near impossible to fix.
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Earthworks Releases New Study, Claims Ohio Has a “Crisis” in Enforcement

By: Brian Hickman

Earthworks, the national environmental group responsible for the Oil and Gas Accountability Project (OGAP), released a study on the regulation of oil and gas in several key producing states. The report claims that there is a “crisis in oversight” when it comes to enforcing oil and gas law in Ohio.

The report focuses on six traditional oil and gas producing states – Colorado, New Mexico, New York, Pennsylvania, Texas, and Ohio. In the Executive Summary, the report claims that these producing states are, “dangerously unprepared to oversee current levels of extraction, let alone increased drilling activity from the shale boom.” It goes on to say that every state that was studied fails to adequately address the enforcement of rules related to their own oil and gas law. This is based upon four statements provided in the report.

First, oil and gas wells in these states are operating without a compliance inspection. Earthworks estimates that Ohio has failed to inspect 91% of its oil and gas wells (and could be higher if you consider inactive or plugged wells). Earthworks recommends that states increase their number of inspectors, create annual inspector-to-well ratios, create per-well inspection requirements on all stages of drilling, and that state agencies continue to push for budgetary increases at the state government level.

Secondly, when a violation is discovered, it is not officially recorded as it may be left to the discretion of the inspector. The report did note that violations in Ohio have been on a decline. However, violations increased in 2011 which, according to Earthworks, can be attributed to more inspections. Earthworks recommends that whenever a rule has not been followed, a violation should be ordered. They also recommend that a public, searchable database be created on violations while tracking operators with repeat violations.

Third, even when violations are recorded, they generally result in minor penalties. Earthworks bases their assumption on the fact that Ohio collected $200,000 in penalties during 2012 and the average value of a Marcellus Shale well is $2.9 million. Earthworks also makes the blanket assumption that maximum penalties are set by “outdated state statutes”. The cure offered is to codify penalty structures via state law and increase future penalties to deter violations, including publically noting the “bad actors”.

Finally, when penalties are assessed, they do not deter the company from preventing an incident in the future. Two recommendations in this area stand out from the crowd. First, states must acknowledge that “public health is at risk because state enforcement of existing oil and gas rules are broken”. Also, common sense regulatory and policy changes must be made. This would include creating a minimum number of inspectors per well and allowing the public to have more access to information and allowing them the ability to bring citizen lawsuits against operators.

OOGA blasted the report for using outdated and inaccurate information. “Earthworks cited four different areas in which it believed DOGRM failed to adequately enforce Ohio’s oil and gas regulations — inspection rate, violations, enforcement action and accountability and the public’s role”, stated OOGA Executive Vice President Tom Stewart. “Much of Earthworks’ criticism is based on old and often inaccurate information. For example, the report ignored DOGRM’s recent announcement that it will be hiring up to 70 new employees, including inspectors, who will be dedicated to the oversight of Ohio’s growing oil and gas industry.”
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Safety Article

Don’t Get Caught in the Crosshairs This Hunting Season

By: Michael Lorms, M.S. Safety & Risk Consultant, RiskControl360°

In addition to the safety concerns of doing your job, you now need to realize that it is open season. Don’t make yourself a target.

You are now working on, laying out, surveying, doing earth work for, or traveling to a pad that has been hunted for generations. While the landowner of that property is a safety concern that cannot be overlooked; more of a consideration must be given to those whom the landowner has given hunting permission to. Friends and family are unfamiliar with the operations that you are conducting on the land. Think weekend warrior with a new weapon, all camoed up, looking to kill anything that moves, and take it back to the suburbs to show off to all their buddies; all this with little connection to the land.

I have a special perspective as this is me. Hunting a friend’s land that I haven’t visited in two years, hunting the same game paths from the same spot year after year; has my backdrop changed? Is there a rig there now? No idea: I will not have an idea because I know my spot so why check it out? I am going to show up the first day of the season in the early morning dark and get set (1/2 hour before sunrise). Given these circumstances, you may be the target until proven otherwise.

Ways to prove that you are not a deer or other huntable critter

Blaze orange is the most popular visual cue that you are not a deer. Blaze orange attire is required of hunters in Ohio as referenced in the Ohio Dept of Natural Resources Hunter orange requirements.

“Hunting any wild animal (except waterfowl) from 1/2 hour before sunrise to sunset during the youth deer gun season, deer gun season, deer gun weekend, the statewide muzzleloader deer season, and on designated areas during the early muzzleloader deer season is unlawful unless the hunter is visibly wearing a vest, coat, jacket, or coveralls that are either solid hunter orange or camouflage hunter orange. This requirement applies statewide on both public and private land.” (ODNR, 2012)

If the hunter is required to wear orange you should consider it yourself. Bright colored, reflective work vests are a cheap way to provide visibility.

Make noise like a human. While walking though brush hum, whistle, talk to yourself, hang a bell on your person, or play a radio/audio device.

Conduct your work in a manner that takes you out of the line of fire. Talk with those that you encounter to determine how and when they plan on hunting in a particular area. When you see trucks or other vehicles parked alongside the road in your working area, print maps of your work area and place them under the windshield wipers of the vehicle. Also list the number of workers and contact numbers of the individuals who may be reached to answer questions. Be courteous to hunters; hunting season is the most important time of the year to many Ohioans. Remember that we want to be advocates for the oil and gas industry in Ohio and having a good relationship with hunters can be a great benefit.

Deer Season for Ohio

<table>
<thead>
<tr>
<th>SPECIES</th>
<th>OPENING DATE</th>
<th>CLOSING DATE</th>
<th>DAILY BAG</th>
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<tr>
<td>White-tailed Deer: Early Muzzleloader (only at) Wildcat Hollow, Salt Fork Wildlife Area, &amp; Shawnee State Forest</td>
<td>October 15, 2012</td>
<td>October 20, 2012</td>
<td></td>
</tr>
<tr>
<td>White-tailed Deer: Youth Gun</td>
<td>November 17, 2012</td>
<td>November 18, 2012</td>
<td></td>
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<tr>
<td>White-tailed Deer: Gun</td>
<td>November 26, 2012</td>
<td>December 2, 2012</td>
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<tr>
<td>White-tailed Deer: Muzzleloader</td>
<td>January 5, 2013</td>
<td>January 8, 2013</td>
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Refer to Deer Hunting Section for details on zone and bag limits

(ODNR, 2012)
For more information about Ohio Hunting go to: www.dnr.state.oh.us/Home/tabid/4414/Default.aspx

Reference:

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RiskControl360° provides occupational safety and health consulting services to help employers prevent workplace injuries, remain compliant with OSHA regulations and reduce workers’ compensation expenses. To achieve these outcomes, we work with employers to develop safety manuals and policies, conduct safety training, perform safety audits and provide overall safety program management. HSSE and Risk Consultants Provide: SSQ Assistance/ISNET, SafeLand/SafeGulf, OSHA 10/30, HazMat, First-Aid/CPR/AED, Outsourced Safety Dept, OSHA/EPA/DOT Citation Management & Compliance Audits, Written HSE Manuals, Safety Business Plans/ROI Calculation. For more information visit: http://www.riskcontrol360.com/oil-and-gas-services
In Memoriam

Oliver E. Harris, Sr.

Oliver E. Harris, Sr., 75, of Evansville, passed away Sunday, September 30, 2012, at St. Mary’s Medical Center. He was born January 20, 1937, the son of the late Wilson G. and Mary (Brown) Harris. Oliver was a member of the Ohio Oil and Gas Association since 1982.

Oliver worked at Dowell, a division of Dow Chemical, owned Harris Operating Company, Inc. and was co-owner of Orion Petro Corp. He graduated from Missouri School of Mines and Metallurgy and attended Trinity United Methodist Church.

He is survived by his wife, Janet (Sirkle) Harris of Evansville; son, Oliver Eugene “Gene” Harris, Jr. of Dallas, TX; sisters, Reece Taflinger of Moline, IL and Mary Ann Peeler of Peoria, IL; and many nieces and nephews.

Contributions may be made to the St. Mary Catholic Church, PO Box 109, Wooster, OH 44691, West View Manor Auxiliary, 1715 Mechanicsburg Rd., Wooster, OH 44691 or Hospice & Palliative Care of Greater Wayne Co., 2525 Back Orrville Rd., Wooster, OH 44691 or the Wayne Co. Humane Society, PO Box 266, Wooster, OH 4469

William H. Atha (cont.)

(Steve Lawrence), Ken (Ann) Gall, Ron (Sandy) Gall, and Joanne (Mark) Salyer; and many nieces, nephews, and countless friends. He was preceded in death by his father Howard Atha.

Contributions in Bill’s name can be made to the ALS Association Central and Southern Ohio Chapter. Visit www.schoedinger.com to share a favorite memory of Bill.

David T. Atha

David T. Atha, 63, a much-loved husband, father, grandfather, son and brother, passed away peacefully October 12, 2012 at Munson Medical Center in Traverse City, Michigan with his family present. For many years, he had bravely confronted and fought pulmonary fibrosis.

He was born March 5, 1949 in Mt. Pleasant, Michigan and resided in Sugar Grove, Ohio and Leland, Michigan. Dave graduated from Worthington High School in 1967 and received a BA in English from Denison University in 1971 and was a member of Phi Delta Theta Fraternity.

As president of D.T. Atha, Inc., Dave professionally worked as a 4th generation oil and gas producer, collaborated widely across Ohio and neighboring states on a number of projects and is broadly regarded as an industry leader whose integrity was greatly admired. Dave served as a member on the Board of the Ohio Oil and Gas Association (OOGA).

Dave’s passion for fishing is legendary. He loved to fish Lake Leelanau, Lake Erie, Lake Michigan and Lady Evelyn Lake in Canada. An avid music collector, Dave loved to play guitar by the fireside with friends and family. He played halfback for the Denison University football team, and his 1967 high school basketball team at Worthington High School still holds the school record for wins. More importantly, in all aspects of life Dave conducted himself as a team player, valuing “being on the team and in the game.”

He is survived by his wife of 42 years, Gay Ullman Atha; daughters, Megan Atha Just (Brian), Ft Myers Florida; Jennifer Leigh Welty (Nic), Omena, Michigan; son, Lee Warren Atha (Tammy), Albany, Ohio; grandchildren, Avery, Landon, Frankie, Elyse and Owen; mother, Yvonne T.Atha of Worthington; brothers, Richard Atha of Elizabeth City, North Carolina, Thomas Atha (Cynthia), Granville, Ohio, Robert Atha (Carol), Columbus, Ohio; sister-in-law, Julia of Westerville, Ohio. He was preceded in death by his father, Howard D. Atha and by his brother, William H. Atha.
The development of Ohio's oil and gas industry is attracting employers to the state from across the U.S. With this in mind, the Ohio Bureau of Workers' Compensation (BWC) is conducting outreach efforts to employers that are setting up operations in Ohio as well as those that will have employees working temporarily in the state.

Ohio is a monopolistic workers' compensation system which does not allow private insurers to underwrite workers' compensation policies for employers doing business in the state. Because of this, there are key coverage requirements that differ from the private coverage most oil and gas companies use.

For instance, you may assume an all-states endorsement exempts your company from obtaining Ohio workers' compensation coverage for employees working temporarily in Ohio. However, Ohio law – specifically Ohio Revised Code 4123.54 – says this assumption is only partially true.

More specifically, Ohio will extend an exemption to employers from another state for their employees working temporarily in Ohio only to the extent the other state extends an exemption for Ohio employees working temporarily in the other state.

It is important to ensure your company has the proper coverage for workers before you begin operations in Ohio, and BWC is here to help. If you have questions or concerns about Ohio workers’ compensation coverage requirements, contact a business consultant in one of the BWC customer service offices listed below.

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Scott St. Clair  
740-435-4251  
614-357-9498 (mobile)

**Garfield Heights**
Kathy Fischer  
216-584-0307  
614-357-7043 (mobile)

**Canton**
Lorrie Goodnight  
330-471-0950

**Garfield Heights**
Tom Gallagher  
216-584-0275  
216-618-4048 (mobile)

**Columbus**
Brian Jackson  
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Derek Hina  
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Eric Leindecker  
Energy Division Manager  
Agland Co-op, Inc. dba 1st Choice Energy Services  
www.1stchoiceenergyservices.com  
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Jamin Fagin  
Business Development Manager  
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www.cenergyco.com  
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Reserves, GIS Specialist, Site Stabilization Plans

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Derek Hina  
Technical Sales Engineer  
Universal Well Service  
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Provide experienced technical solutions to pressure pumping needs.

Eric Leindecker  
Energy Division Manager  
Agland Co-op, Inc. dba 1st Choice Energy Services  
www.1stchoiceenergyservices.com  
1st Choice Energy is a division of Agland Co-op. 1st Choice has nine energy locations in Eastern Ohio. We provide fuel, labor, and propane to our customer base.

EXPLORATION APPRAISAL PRODUCTION

MacKenzie Land & Exploration, Ltd  
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Mapping, Research, Acquisition/Divestiture Advisors  
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December

2012 Oilfield Expo
December 4 - 6, 2012
IX Center, Cleveland, OH

2012 OOGA Holiday Reception
December 18, 2012
Cherry Valley Lodge, Newark, OH

February

2013 OOGA Legislative Reception
February 19, 2012
Ohio Statehouse, Columbus, OH

March

2013 OOGA Winter Meeting
March 6 - 8, 2012
Hilton Easton, Columbus, OH

Industry Events

Contact Kristy Hawthorne at 740-587-0444 or khawthorne@ooga.org to have an event listed.

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Doing Business in the Marcellus and Utica Shale Play
November 9, 2012
The Chadwick, Wexford, PA

November (cont.)

Oil and Gas Education Series: Real Estate and Mineral Rights
November 29, 2012
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Note: Oil prices only. Some postings do have transportation adjustments.
Crude Oil Prices
NYMEX v Ohio Wellhead Posted Prices
October, 2011 – October, 2012

Natural Gas Index Pricing
NYMEX Close & Appalachian Index
October, 2011 – October, 2012

Settle Price, Crude Oil
Light Sweet
New York Mercantile Exchange (NYMEX)
Friday, October 5, 2012
$ per Bbl

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Settle Price, Natural Gas
New York Mercantile Exchange (NYMEX)
Friday, October 5, 2012
$ per MMBtu's

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