



March 2024 Newsletter
Hello from Arthur Stewart, Secretary

Special Bonding Litigation Update

Today (March 13, 2024) PGCC won a small court victory. PGCC (along with PIPP and PIOGA) was granted intervenor status in what we call the “Well Bonding” case. That means PGCC is now an officially recognized party in the case; PGCC can now appear in court and defend the conventional industry against bonding changes that PennFuture, the Sierra Club and others want to implement.

In August, 2023, PennFuture, the Sierra Club, Clean Air Council, Protect Penn-Trafford, and Earthworks filed a [joint lawsuit](#) against the Commonwealth of Pennsylvania, including Governor Josh Shapiro and the General Assembly, challenging the constitutionality of Act 96, the conventional well bonding amendment that was passed in 2022. Act 96 maintains single well bonding at \$2500/well and maintains the blanket bond at \$25,000; however, under Act 96 the blanket bond can increase to \$100,000 for operators drilling new wells.

At the time of Act 96’s passage, PennFuture, the Sierra Club, and other extremist groups were asking Pennsylvania’s DEP and EQB (Environmental Quality Board) to raise well bonding to over \$30,000 **per well (with no blanket bond)**. Act 96 frustrated the extremist groups because Act 96 took away the DEP and EQB’s authority to raise well bonding. PGCC strongly supported Act 96 and PGCC was very involved in educating legislators as to why Act 96 was necessary. PGCC members made several trips to Harrisburg in support of Act 96, and our advisors, Bob and Mike, played key roles in helping legislators understand Act 96’s importance.

Obviously, PennFuture, the Sierra Club and the other extremist groups were very unhappy when Act 96 was passed. In response, they filed the August 2023 lawsuit seeking to have Act 96 declared unconstitutional.

When the extremists’ lawsuit was filed, the PGCC Board immediately recognized the lawsuit’s significance. PGCC’s Legal chair met with PIOGA’s lawyer, and together they spoke with Attorney Matt Wolford about how to deal with the extremists’ case. The three decided the best course of action was to ask the Court to allow the three trade groups (PGCC, PIOGA and PIPP) to intervene in the case (which means asking the Court’s permission to allow the three trade groups to become parties in the case). The three trade groups hired Matt Wolford and the three trade groups agreed to share costs.

PGCC’s legal chair and PIOGA’s attorney supplied data and documents to Attorney Wolford and together the three men worked out the strategy for proceeding. Work continued throughout the winter, and

several weeks ago the three trade groups filed a very thorough Petition asking the Court to add the three trade groups to the case.

Today the Court issued an order adding PGCC, PIOGA and PIPP to the case. A copy of the order is below.

The issuance of the order is a big deal. The extremist groups filed their case under section 27 of the Pennsylvania Constitution (dealing with clean, air, water etc.). The extremists' case will test the boundaries of section 27, the authority of the legislature to make laws, and the scope of authority of governmental agencies such as DEP and EQB. More important, if the extremists win the case, the extremists will be on track to bump conventional well bonding to nonsensical amounts that will put most conventional operators out of business (which is, of course, the extremists' not-so-hidden agenda).

Matt Wolford did his usual terrific job. Matt will now represent PGCC in the next stages of the case. We will keep you posted.

Here is a copy of the order:

Comments - Upon further consideration of the Amended Application for Leave to Intervene filed by Pennsylvania Independent Oil & Gas Association, Pennsylvania Independent Petroleum Producers Association and Pennsylvania Grade Crude Oil Coalition (collectively, Associations), and whereas the Answer thereto filed by Petitioners Clean Air Council, Earthworks, Citizens for Pennsylvania's Future, Protect PT, and Sierra Club, states that Petitioners do not oppose the Associations' intervention; and whereas Petitioners filed an Answer in Opposition to the Application for Leave to Intervene of Pennsylvania Senate Majority Leader Joe Pittman, Pennsylvania Senate Republican Caucus, Pennsylvania House Minority Leader Bryan Cutler, and Pennsylvania House Republican Caucus (collectively, Senate and House Republicans); and whereas Respondents Department of Environmental Protection, Environmental Quality Board, and Acting Interim Secretary and Chair Jessica Shirley did not file an Answer to the Associations' Amended Application for Leave to Intervene; and whereas Respondents filed an Answer in Opposition to the Application for Leave to Intervene of the Senate and House Republicans, it is hereby ORDERED as follows: 1. The Associations' Amended Application for Leave to Intervene, being unopposed, is hereby GRANTED. The Associations shall be Intervenors in this action principally aligned with Respondents. 2. The hearing scheduled by the Court's March 8, 2024 Order for May 1, 2024, at 10:00 a.m. shall concern only the Application for Leave to Intervene of the Senate and House Republicans and the Answers in Opposition thereto. 3. In all other respects, the March 8, 2024 Order remains in full force and effect.

A new filing has been created on a case in which you, or the attorney(s) you are proxying for, are participating.

View case details for 379 MD 2023 here: [Case Details](#)

View your notifications here: [UJS Portal Notifications](#)

This notification was generated at Wednesday, March 13, 2024 3:09 PM.

SUPPORT OUR MEMBERS:

PGCC is fortunate to have a growing membership that includes valued service providers. We urge you to support our service members!!!

Jean M. Mosites

Attorney at Law

jmosites@babstcalland.com



Two Gateway Center
Pittsburgh, PA 15222
Direct 412.394.6468
Main 412.394.5400
Fax 412.586.1051
www.babstcalland.com

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Matt J. Bernini

Account Executive

Laurel Place, 922 Philadelphia Street
Indiana, PA 15701-3940

Desk: 724.463.5921
Cell: 724.599.5498
Fax: 724.349.6616
mbernini@reschini.com

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Mark Miller, P.G.

Vice President

mmiller@moody-s.com

11548 Cotton Road
Suite 101
Meadville, PA 16335

814.724.4970 office
814.720.0629 cell
814.724.4973 fax
800.836.5040

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MATTHEW L. WOLFORD
ATTORNEY AT LAW

Wolford Law
638 West 6th Street
Erie, PA 16507
E-mail: mwolford@wolfordlaw.com

814/459-9600
Fax: 814/459-9661

ROBERT S. TAYLOR, ESQ.
CHAIRMAN AND CEO

THE CAMERON COMPANIES, LLC
PO Box 220
SOLEBURY, PA 18963

PHONE: 215-489-5300
FAX: 215-489-5301
CELL: 215-801-2295
EMAIL: rst@CAMERON-COMPANIES.COM

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David Cook
Crude Oil Relationship Manager
dcook@amref.com
814-598-1607

Bill Murray
VP - Crude Supply & Logistics
bmurray@amref.com
330-224-4408



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333 Allegheny
Avenue
Suite 201
Oakmont, PA 15139

Chris Klonowski – Openhole Mgn.
(724-859-7373)

Garry Rex – Casedhole Mgn.
(724-705-3942)

Marty Comini – COO
(412-260-9040)

Operation Location: 15771 Olean Trail, Strattanville, PA 15139 (Corsica Shop)

Equipment & Service Description

- 1) **Description:** 3 Complete Wireline Units setup to run Openhole and Casedhole Services. With 2 additional Wireline units in yard. Equipment was built and designed to handle the terrain of the Appalachian's, and the specific needs of the Energy business.
- 2) **Safety:** ATF & NRC Licenses for all operating States. Registered with ISNetworld with a "A" rating. OOSH 300A forms with ZERO incidents since conception (Sept. 2014). All training and safety audits up to date.
- 3) **Personal:** Keystone Wireline staff has many years of field, sales, and management experience dealing with all aspects of wireline work, including Plug-n-Abandonment, Openhole, Casedhole, Cavern, and Porosity storage operations. The team has between 20 plus years of experience for each individual in the wireline industry, making the staff experience leader in the industry.



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