



THE SHALE PLAY TODAY



News & Insights from the Marcellus and Utica Shales

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W.Va. Legislative Update

In continuing our commitment to best serve our clients, we have been closely monitoring legislative changes in West Virginia that may affect the shale gas industry in the state. This update covers a new rule affecting horizontal drilling and the results of a recent pit and impoundment study.

Rule Governing Horizontal Well Development

Senate Bill 245 provides for legislative approval of the West Virginia Department of Environmental Protection's ("DEP") proposed Rule Governing Horizontal Well Development designated as 35 C.S.R. 8 ("Rule"). The Bill was considered by the Senate Energy, Industry and Mining ("EIM") Committee on March 13, 2013, during which the Committee amended the Rule to limit public disclosure of the hydraulic fracturing fluid formula(s). The precise detail of the formula would still be available to the DEP in response to an investigation initiated by the DEP or by request from health care providers for patient diagnosis and care.

The EIM Committee reported the Bill, as amended. The Bill was referred to the Senate Judiciary Committee where it was bundled with other DEP proposed legislative rules under Senate Bill 243 which was considered as a committee substitute bill and reported on March 22 to the full Senate. On March 27, the Senate passed SB 243 and reported it to the House of Delegates. The Bill was then referred to the House Judiciary Committee on March 28, 2013 for consideration and action.

In The News



Pipeline Expansion Means Abundant Natural Gas for N.C.

A natural gas pipeline running from the Marcellus Shale fields of Pennsylvania to the Gulf of Mexico, by way of the Carolinas, will likely spur industrial development and hold down electricity costs in North Carolina. This may also mean that the state's shale gas resources will go unexplored for years to come.

[Read more.](#)



E&P Companies Join Forces with Environmentalists & Philanthropists

The Center for Sustainable Shale Development, which is a collaborative effort among drilling companies, environmentalists and philanthropists, is attempting to reduce the shale gas industry's effects on water and air.

[Read more.](#)



Useful Resource: Ohio Utica Shale Maps

The Ohio Department of Natural Resources recently released updated Utica Shale maps of the state.

[Click here to view the maps.](#)

[Read the full article on our website.](#)



Featured Shale Team Member



Neva G. Lusk (Charleston, W.Va.)

Ms. Lusk's primary area of practice is general litigation with emphasis on toxic torts, class actions and product liability. She has served as trial counsel for corporate clients in mass toxic exposure matters, including class actions and medical monitoring. Ms. Lusk has represented natural gas producers, midstream companies, and oilfield service companies in contract disputes, deliberate intent cases and a variety of other matters. She has held leadership roles in several professional organizations for defense litigators, including DRI and the Defense Trial Counsel of West Virginia. [View her full professional biography.](#)

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