

**Access to Minerals Issue (Cotenancy Legislation):** The WV Coal Association is in agreement with the WV Oil and Natural Gas Association, the Independent Oil and Gas Association and the WV Land and Minerals Owners Association on the need to provide greater opportunity for mineral development through the adoption of cotenancy legislation. This legislation would make West Virginia the 37<sup>th</sup> of 39 mineral producing states to adopt such cotenancy policy. A white paper and draft legislation will be provided during an upcoming working group meeting.

**Objection Period:** The period in which a coal owner or operator can object to a gas well permit should be extended to thirty (30) days from receipt of the permit application by the operator, not the Office of Oil and Gas (“OOG”).

**Permit Applications:** Applications should be required to show other proposed wells by the oil and gas operator and should identify whether the well will be located on permitted coal property (as in Kentucky).

**Pipelines:** Well permit applications should identify the proposed location of the well line to the gathering line. The OOG needs to develop a mapping/reporting program so that it is easily verifiable which pipelines are active.

**Spacing:** The coal operator’s spacing objection should be based upon the deepest formation completed *and* all formations above the completed formation instead of just common formations. Also, spacing needs to apply to liquid injection wells and secondary recovery wells. As it stands a gas company can have a CBM well, a shallow well, a deep well, a liquid injection well, and a storage well all within 100 feet of each other and there is nothing the coal operator can do about it. We don’t care what goes through the well pipeline, we only care about the number of holes through the coal seam.

**Plugging of CBM Wells:** The plugging program needs to be incorporated into the terms of the permit application to ensure that plugging is addressed before the well is drilled.

**Gas Boards:** The review of all gas well permits, other than coalbed methane well permits, need to be incorporated into one board. All objections to shallow well, deep well, injection wells, oil wells, etc., permits would be heard by a single board. This would not affect the existence of the Conservation Commission, as it does not hear objections to individual gas well permits. The consolidated board would be comprised of the current makeup of the Shallow Gas Well Review Board. However, the Chief of the OOG would not serve on the Board, as it is deemed that his role of overseeing the entire permitting process as well as chief enforcement officer creates a conflict of interest. His position should be replaced with another individual.