



2018

## Oil and Gas Law

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# Oil and Gas Law Research Guide: Home

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Oil and gas law resources, both Ohio and national, including a page about hydraulic fracturing, ie. fracking.

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- Websites - Agencies, Organizations
- Fracking Articles & Resources

## Home

### Introduction

Oil and gas law deals with ownership rights, leases between landowners and companies exploring for and/or producing oil and gas, government regulation of these industries and environmental issues. For a brief overview, LII's Energy Law Wex encyclopedia article.

Also see video and materials from Cleveland-Marshall's 2012 Conference: Utica Shale: Issues in Law Practice and Policy.

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### Search Many Primary and Secondary Sources at Once



- Westlaw - Energy & Environment
- Lexis Advance- Energy and Utilities Law listed under "Browse" then by "Topic"

Photo of Natural Gas Well by Windsordi

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### Comprehensive Research Guide in Print

**Oil and Gas Law: A Legal Research Guide** by Lauren E. Schroeder  
KF1849 .S37 2012

**Related C|M|LAW Research Guides**







- Property Law Resource Guide
- Environmental Law Resource Guide
- Land Use, Planning and Zoning

**Treatises, Forms & Study Aids****Multi-Volume Treatises**

**All of the following contain forms** except Regulation of the Gas Industry: (For more forms see the Agency Website Section of this Guide). Also see Books About Hydraulic Fracturing section of this guide.




Image courtesy of Wikipedia.

- The Law of Oil and Gas, with Forms KF1849 .S8 2004  
W.L. Summers. Kept current with pocket parts. Also on Westlaw. 7 volumes.
- Energy Law and Transactions - Lexis Advance   
Edited by David J. Muchow & William A. Mogel. 7 volumes.
- Oil and Gas Law- Lexis Advance   
By Howard R. Williams & Charles J. Meyers. 8 volumes.
- Kuntz, Law of Oil & Gas - Lexis Advance 
- Regulation of the Gas Industry - Lexis Advance 
- The Law of Oil and Gas Leases - Lexis Advance 
- The Law of Pooling and Unitization - Lexis Advance 

**One Volume Treatises**

FERC : Federal Energy Regulatory Commission, KF2120 .M34 2009  
American Bar Association, Section of Environment, Energy, and Resources

**Ohio Treatises**

- Ohio Real Estate Law and Practice  
Kuehnle and Levey, KFO 112 .H362  
Chapter 47, Oil and Gas Leases.  
Contains forms.
- Ohio Real Property Law and Practice - Lexis Advance   
**Lexis Advance.** by Curry, Durham & Jeffrey, KFO 112 .M32 1996  
Chapter 14, Minerals Oil and Gas
- Ohio Jurisprudence 3d - Westlaw  
article on Mines and Minerals and  
article on Energy  
Print KFO 65 .O3543  
Also on Lexis Advance
- Ohio Environmental Law Handbook  
- KFO354 .O35 2004  
By Porter, Wright, Morris & Arthur
- Oil and Gas leases and the  
Dormant Minerals Act  
Ohio CLE. KFO258.L4 O5 2012.  
Representing landowners in oil and  
gas matters and Recent oil and gas  
statutory changes: SB 315 signed  
June 11, 2012.

### Books About Hydraulic Fracturing

- 28th annual Ohio Environment, Energy and Resources Law Seminar  
KF0354.A75 O38 2013
- Beyond the Fracking Wars : a Guide for Lawyers, Public Officials, Planners, and Citizens  
KF1849.A2 B49 2013
- Marcellus Shale Gas Drilling: Legal Trends KF1870 .M37 2011  
Phyllis Lipka Skupien, editor. Contains chapters by several authors
- Navigating Legal Issues Around the Marcellus Shale KF1870 .N38 2011  
Joseph F. Speelman ... [et al.]. An immediate look at the benefits and consequences of hydraulic fracturing and horizontal drilling.

### Study Aids

- Energy Law in a Nutshell  
KF2120.Z9 T65 2011
- Oil and Gas Law in a Nutshell  
KF1850 .L68 2014
- Hemingway Oil and Gas Law and Taxation KF1849 .H44 2004  
(Hornbook)
- Modern Public Land Law in a Nutshell  
KF 5605 .G58 2012

### Search the Library Catalog

- Title  Author  Keyword  
 Subject  Call Number

## Statutes

### Ohio & State Statutes

- IOGCC Model Statutes
- Ohio Revised Code - Title 15 - Conservation of Natural Resources

### Federal Legislative History

Federal Legislative History documents, for example hearings and congressional reports, can cover oil and gas law issues. Try Proquest Congressional and other sources mentioned in the Legislative History guide.

## Federal Statutes

See a more detailed list at Legal Information Institute's Wex Encyclopedia Article on Energy (click on the Resources tab). Federal Statutes pertaining to Oil and Gas exist in Title 10 (Energy), Title 18



(Conservation of Power and Water), Title 25 (Indians), Title 30 (Mineral Resources), Title 36 (Parks), Title 49 (Transportation). Here is some of the major federal oil and gas legislation:

- Natural Gas Act of 1938  
52 Statutes at Large 821, Codified at: 15 U.S.C., Chapter 15b
- Natural Gas Policy Act of 1978, Public Law. No 95-621  
Codified at: 15 U.S.C., Chapter 60
- Natural Gas Pipeline Safety Act, PL 90-481  
Codified at: 49 U.S.C. 60101-60125
- Pipeline Inspection, Protection Enforcement and Safety Act  
Codified at: 49 U.S.C. 6109, 60101-60137
- Leasing Statutes for Federal Lands  
Codified at 30 U.S.C. 181-263, 301-306, 351-360 and 43 U.S.C. 1331-1356a & 43 U.S.C. 1301-1315 (Outer Continental Shelf Lands and Submerged Lands, respectively)
- Leasing Statutes for Indian Lands  
Codified at 25 U.S.C. 396 - 396g and 25 U.S.C. 2101-2108.
- Trans Alaska Pipeline Photo by Carl Chapman

## Regulations

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## Federal Regulations



The following titles of the Code of Federal Regulations contain sections applicable to oil and gas. The links below are to the eCFR online, unless otherwise labelled.

The CFR is also available on Lexis and Westlaw, which allow you to search within a particular CFR title.

Check the Federal Register for new and pending regulations.

See the library's Administrative Law Guide for more about finding regulations.

- Title 10 - Department of Energy
- Title 18 - Conservation of Power and Water Resources
- Title 25 - Indians
- Title 30 - Mineral Resources
- Title 36 - Parks, Forests and Public Property
- Title 43: Public Lands - Interior
- Title 49: Transportation

## Ohio & State Regulations



- Ohio Administrative Code, Ch 1501 Natural Resources Dept.
- Ohio Administrative Code, Ch 1509 Oil and Gas Commission
- FracFocus Regulations by State  
Regulations pertaining to hydraulic fracturing.
- A Review of Shale Gas Regulations by State
- State Oil and Gas Regulations Designed to Protect Water Resources  
May 2009 Government report
- Oil and Gas Law: A Legal Research Guide KF1849 .S37 2012  
Contains a list of regulations for each state, starting at page 21.

## Cases & Agency Decisions

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### Agency Decisions - Federal



- Department of Energy Office of Hearings and Appeals  
Full text of administrative decisions. Also on Lexis Advance
- Federal Energy Regulatory Commission Decisions (Westlaw)  
These are also on Lexis Advance.
- Department of the Interior - Office of Hearings and Appeals  
Includes Interior Board of Land Appeals and Interior Board of Indian Appeals cases. Older cases are in the A & M decisions.  
Also on Westlaw  
Also on Lexis Advance
- Environmental Protection Agency - Administrative Law Judge Decisions  
Also on Westlaw and Lexis Advance
- Environmental Protection Agency - Environmental Appeals Board  
Administrative Law Judge Decisions are appealed to the Environmental Appeals Board. Also on Westlaw and Lexis Advance
- Surface Transportation Board Decisions  
The Surface Transportation Board regulates pipeline rates not governed by the FERC. Also on Westlaw and Lexis Advance.

### Cases

- Lexis Advance - Forms - Ohio 
- Westlaw - Public Utilities Fortnightly  
Contains case reviews
- Westlaw - Ohio Public Utilities Commission Decisions

### Agency Decisions - State



Photo: Oil Separator Complex by Yukon White Light

- Ohio Oil and Gas Commission Decisions  
Some citations may appear in annotations to the Ohio Revised Code.  
NOT online. You must contact the Commission for a copy.
- Oil and Gas Law: A Legal Research Guide  
Contains a list of decisions for each state, starting at page 32.
- IOGCC Links to Member States Agency Web Sites



### Other Agency Documents

Agency websites contain guidance and other documents. See Websites part of this guide for links to agencies.

- Westlaw Department of Energy Documents  
DOEDocs - press releases, transcripts, reports, notices & regulations

## Newsletters & Blogs

**Utica Marcellus Shale Monitor**

- RSS Feed Error 
- Feed 

**Blogs**




Photo: Natural Gas Storage Tanks by Robert Murray

- Energy Legal Blog  
Powered by the attorneys of Bracewell & Giuliani
- Energy Law Times  
Covering energy news and information from our nation's capital. Jennings, Strouss & Salmon.
- Ohio Environmental Law Blog
- Oil and Gas Law Brief  
Stone Pigman. Walther Whitmann LLC
- Oil and Gas Law Digest
- Oil and Gas Lawyer Blog  
Graves, Dougherty, Hearon & Moody
- ShaleOhio.com  
by Brickler & Eckler, Attorneys at Law
- Ohio Shale Update - Twitter  
by Benesch|Attorneys at Law
- Utica Marcellus Shale Monitor  
Designed to provide the latest legal news and information regarding shale plays in the Utica and Marcellus regions. By Jason E. Yearout, associate and Lori A. Herf, legislative advocate at Baker Hostetler in Columbus, Ohio

**Current Awareness**

- Energy & Natural Resources Emerging Issues - Lexis Advance
- Daily Environment Report (BNA)
- Bloomberg Law News by Topic  
Select Business News>Industry>Natural Gas (or Oil), or search for a particular topic, such as "Hydraulic Fracturing"
- Oil Daily - Westlaw

**Ohio**



- Crain's Shale Magazine  
Coverage of oil and gas drilling in Ohio's Utica shale play. Accompanies Crain's Cleveland Business and three other Crain titles: Investment News, Pension & Investments and Plastics News. Subscribers also receive email alerts - Crain's Ohio Energy Report. Coming December 2012.
- Crain's Cleveland Business - Ohio Energy News  
Subscribers can also receive email alerts - Crain's Ohio Energy Report.

Journal and Law Review Articles



### Law Reviews & Journals

See the Finding Articles in Law Reviews, Journals, and Other Legal Periodicals guide.

Cleveland Bar Journal - Vol. 5 No. 3 Oct. 2012, K3 .L491 - Contains many articles regarding shale gas exploration in Ohio.



Here are some examples of journals specializing in oil and gas law:

- Energy Law Journal -K5 .N47  
Links to this journal online
- Journal of Land, Resources & Environmental Law K10 .O845
- Natural Resources Journal K14 .A897  
Links to this journal online
- Texas Journal of Oil, Gas & Energy Law - Online
- Rocky Mountain Mineral Law Foundation Institute - Westlaw  
Full-text articles from the Rocky Mountain Mineral Law Foundation Institute and Course materials. 1955-
- Cleveland Bar Journal - Vol. 5 No. 3 Oct. 2012,K3 .L491  
Contains many articles regarding shale gas exploration in Ohio.

### Multidisciplinary Databases

For non-legal journals, note OhioLINK's Electronic Journal Center and its Earth Sciences - Environmental Science and Engineering subject cluster.

- Energy Citations Database (1948-)  
Scientific articles
- Science Citation Index [via Web of Science] (1980-)
- Earth Sciences - Environmental Science and Engineering subject cluster.  
From the OhioLINK Journal Center

### Search HeinOnline



#### Library

#### Search Law Journal Library by Citation

Vol. Abbreviation Page

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### Search Westlaw Law Reviews

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Terms & Connectors  Natural Language

## Websites - Agencies, Organizations

## Guides

- Wex LII Encyclopedia Article - Energy  
An overview of energy law, plus links to statutes and other resources. From Cornell's Legal Information Institute.
- Hieros Gamos Oil and Gas Law  
Links to articles and web sites.

## C|M|LAW's Utica Shale Conference

- Utica Shale Conference 2012  
Conference website includes video of the presentation, PowerPoints and written materials.

## State Agencies

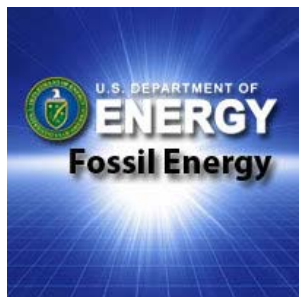


- ODNR Division of Oil and Gas Resources Management  
Includes forms; fact sheets; laws and rules; Ohio Oil and Gas Well Database, with permit and production information.
- Ohio Oil and Gas Commission  
Part of ODNR Oil & Gas. The Commission receives and hears appeals of any person claiming to be aggrieved or adversely affected by an order by the Chief of the Division of Mineral Resources Management.
- Oil and Gas Technical Advisory Council  
Review and makes recommendations regarding mandatory pooling requests, variance requests. Part of ODNR - Oil & Gas.
- Public Utilities Commission of Ohio
- IOGCC Links to Member States Agency Web Sites
- National Association of Regulatory Utility Commissioners  
Links to public utility commissioners in the 50 states.

## Organizations

- Interstate Oil and Gas Compact Commission  
Assists states in balancing a multitude of interests through sound regulatory practices. News, publications and model statutes.
- American Gas Association  
Studies, reports, statistics.
- American Petroleum Institute  
National trade association for the oil and gas industry.
- American Gas Foundation  
A nonprofit whose independent research reports are posted to their website.
- Natural Gas.org  
Provides an overview of current and historic regulation, overview of the industry and environmental issues.
- State Review of Oil & Natural Gas Environmental Regulations

## Federal Government Agency Websites



### Department of Energy

- Office of Fossil Energy  
Has pages for petroleum, natural gas, etc.
- Information Resources Page  
Links to Information Bridge, Energy Citations Database and other collections of reports, articles and scientific conferences.
- Office of Hearings and Appeals  
Regulations, full text of administrative decisions.
- Energy Information Administration  
Statistics and Analysis. Part of the Department of Energy.

### Other Agencies

- Federal Energy Regulatory Commission  
"An independent agency that regulates the interstate transmission of natural gas, oil, and electricity. FERC also regulates natural gas and hydropower projects.' See especially Legal Resources, which includes statutes, orders, regulations, agency decisions and settlements.
- Department of the Interior  
Click on Bureaus and Offices at the top to access the bureaus which deal with oil and gas. These Bureaus include: Bureau of Indian Affairs, Bureau of Land Management, Bureau of Ocean Energy Management, Bureau of Safety and Environmental Enforcement, Office of Natural Resources Revenue, U.S. Geological Survey. The Office of Hearings and Appeals has agency decisions.
- Bureau of Land Management  
Reviews requests by private companies looking for energy resources on federal or Indian land.
- U.S. Geological Survey - Energy Resources
- OSHA Safety Guides for Oil and Gas Drilling, Servicing & Storage
- Department of Transportation - Pipeline and Hazardous Materials Safety Administration  
(PHMSA)

## Fracking Articles & Resources

### Books About Hydraulic Fracturing

- 28th annual Ohio Environment, Energy and Resources Law Seminar  
KFO354.A75 O38 2013
- Beyond the Fracking Wars : a Guide for Lawyers, Public Officials, Planners, and Citizens  
KF1849.A2 B49 2013
- Marcellus Shale Gas Drilling: Legal Trends KF1870 .M37 2011  
Phyllis Lipka Skupien, editor. Contains chapters by several authors
- Navigating Legal Issues Around the Marcellus Shale  
KF1870 .N38 2011  
Joseph F. Speelman ... [et al.]. An immediate look at the benefits and consequences of hydraulic fracturing and horizontal drilling.

### Fracking Explained with Animation

#### Fracking Explained with Animat...



### Fracking Articles

- Hydraulic Fracturing: Identifying and Managing the Risks  
Earl. L. Hagstrom and Julia M. Adams, 24 Environmental Claims Journal 93 (2012)  
Available in print at K5 .N844
- Essay: The Exercise of Local Control over Gas Extraction  
Michelle L. Kennedy, 22 Fordham Envtl. L. Rev. 375 (2010-2011). Via HeinOnline. Accessible to CSU students & faculty off campus via this link.
- Workshop Report, Environmental and Social Implications of Hydraulic Fracturing and Gas Drilling in the United States  
An Integrative Workshop for the Evaluation of the State of Science and Policy, 22 Duke Environmental Law & Policy Forum 245-255 (Spring 2012).
- COMMENT: Avoidable "Fraccident": An Argument Against Strict Liability for Hydraulic Fracturing\*  
Joe Schremmer, 60 Kan. L. Rev. 1215 (via Westlaw)
- Fracking in the Spotlight: What Regulatory Developments Can Be Expected and How Companies Can Best Position Themselves  
Lexis Emerging Issues. By Jim Rubin and Jennifer Morrissey (2011)
- Leading by Example: The Fracturing Responsibility and Awareness of Chemicals Act of 2011 As A Catalyst for International Drilling Reform,  
Jason Obold, 23 Colo. J. Int'l Envtl. L. & Pol'y 473 (2012).  
Via Westlaw
- Cleveland Bar Journal - Vol. 5 No. 3 Oct. 2012, K3 .L491  
Contains many articles regarding shale gas exploration in Ohio.

### Web Sources

- 2012 Conference Videos: Utica Shale: Issues in Law Practice and Policy  
Conference at Cleveland-Marshall College of Law
- EPA: Natural Gas Extraction - Hydraulic Fracturing  
EPA studies, compliance activities, reports, What's New - highlighting new guidance and standards, links to general information on fracking.
- Frac Focus  
Chemical Disclosure Registry
- FracFocus Regulations by State  
Regulations pertaining to hydraulic fracturing.
- Fracking Insider Blog  
by Kelley Drye & Warren LLP.
- Hydrofracking Guide - Pace Law Library
- IOGCC Hydraulic Fracturing Page  
An organization of state governments. The page contains IOGCC and state resolutions on fracking, studies, links to Congressional documents and hearings.
- Marcellus Shale Coalition  
Studies, reports, articles, news.
- Marcellus Shale Research Guide - Carnegie Mellon
- Natural Gas Development and Hydraulic Fracturing: A Policymaker's Guide  
National Conference of State Legislators. June 2012.
- Ohio Department Natural Resources - Division of Oil and Gas Resources Management - Shale Development
- Latest Ohio Legislation - Senate Bill 315  
Per the Fracking Insider: "amend Ohio Revised Code Chapter 1509 to specifically define "horizontal drilling" and to cover a broad spectrum of issues, including chemical disclosure, water use/origin disclosure, and well construction requirements."
- A Review of Shale Gas Regulations by State
- Utica Marcellus Shale Monitor  
Designed to provide the latest legal news and information regarding shale plays in the Utica and Marcellus regions. By Jason E. Yearout, associate and Lori A. Herf, legislative advocate at Baker Hostetler in Columbus, Ohio
- Shale Gas and Oil Plays Map  
U.S. Energy Information Administration
- Review of Emerging Resources - U.S. Shale Gas and Shale Oil Plays  
July 2011. U.S. Energy Information Administration
- Video Series: Fracking Concerns  
Press conference near the Statehouse with environmental

### CNN Explains Fracking

#### CNN Explains: Fracking



### EngagedScholarship@CSU Law Collections

EngagedScholarship@CSU Law Collections contains the full text of faculty publications, Cleveland State Law Review and law school conference materials.

**Browse** or search the Cleveland-Marshall Law Repository.

### Governor's New Orders on Fracking

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