



For Immediate Release

May 5, 2016

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**Communities and Environmental Group Sue PADEP
For Violation in Certifying Atlantic Sunrise Pipeline**

WASHINGTON – The Delaware Riverkeeper Network (DRN) today filed a lawsuit against the Pennsylvania Department of Environmental Protection (PADEP) for its unlawful issuance of a Clean Water Act 401 Water Quality Certificate for the Atlantic Sunrise Pipeline project in the Third Circuit Court of Appeals. If successful, the lawsuit would force PADEP to go back and fully review the project before issuing a Clean Water Certification. The Atlantic Sunrise pipeline is proposed to be 57.3 miles of new 30-inch-diameter and 125.2 miles of 42-inch-diameter greenfields pipeline, and 2.9 miles of new 36-inch-diameter and 8.6 miles of 42-inch-diameter pipeline looping segments all located in Pennsylvania. Two new compressor stations are also proposed to be built in Pennsylvania. As designed, the project will disturb over 4,100 acres of land, cross 333 waterbodies, and 250 wetlands.

The Delaware Riverkeeper Network filed the lawsuit against the Pennsylvania Department of Environmental Protection on May 5, 2016, specifically alleging that PADEP failed to follow the requirements identified in the Pennsylvania Code by not applying appropriate state standards for determining whether a 401 Water Quality Certification was appropriate, and instead issued the certification contingent upon future state permitting of the project. This legal challenge mirrors a similar challenge the Delaware Riverkeeper Network filed against PADEP regarding the Department's approval of Transcontinental's Leidy Southeast Expansion Pipeline project, a case that has been fully briefed and argued before the Third Circuit Court of Appeals, and for which the Court's decision is likely imminent.

PADEP is failing to fulfill its obligations to determine whether pipelines like the Atlantic Sunrise pipeline will harm our environment prior to deciding whether to give them the certification – this is not only

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a violation of the clear meaning and intent of the Clean Water Act and the Pennsylvania Code, but it is a fundamental violation of PADEP's obligation to protect our environment and communities," said **Maya van Rossum, the Delaware Riverkeeper**. "To the extent that the Third Circuit rules in our favor on the merits in our prior case against the Department, the Court will likely grant our Petition here as the claims are very similar," said **Aaron Stemplewicz, staff attorney for the Delaware Riverkeeper Network**.

The Atlantic Sunrise pipeline, if built, would carry fossil fuels through environmentally sensitive areas and public lands. Concerned residents and environmental groups have voiced concerns about the devastating and irreversible impacts should construction be allowed to proceed.

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About the Delaware Riverkeeper Network

Delaware Riverkeeper Network (DRN) is a nonprofit membership organization working throughout the four states of the Delaware River Watershed including Pennsylvania, New Jersey, Delaware and New York. DRN provides effective environmental advocacy, volunteer monitoring programs, stream restoration projects, public education, and legal enforcement of environmental protection laws.