



## ~ Media Advisory ~

October 29 Oral Argument Regarding Interstate Pipeline Project

### Panel of Federal Judges to Hear Arguments Challenging PA Certification of SouthEast Leidy Pipeline

The Third Circuit Court of Appeals will hear oral arguments in the case *Delaware Riverkeeper Network, et al v. Secretary Pennsylvania Department, et al*, a legal challenge to the Clean Water Act 401 Water Quality Certification given to the Transcontinental Pipe Line Company LLC's ("Transco") Leidy Southeast Expansion Project ("Leidy Southeast Pipeline").

DRN filed a lawsuit against the Pennsylvania Department of Environmental Protection ("PADEP") on May 5, 2015, alleging that PADEP improperly issued a Clean Water Act Section 401 Water Quality Certification for the Leidy Southeast pipeline, a large scale gas transmission pipeline. The outcome of this legal challenge will set important precedent regarding state issuance of such certifications – including for the PennEast Pipeline project which PADEP already indicated should follow the same process for 401 Certification as the Leidy Southeast Pipeline.

The Delaware Riverkeeper Network argues that Pennsylvania failed to apply appropriate state standards for determining whether a 401 Water Quality Certification was proper and instead issued the certification contingent upon future state permitting of the project.

"PADEP is failing to fulfill its obligations to determine whether pipelines like the Leidy line will harm our environment prior to deciding whether to give them state approval – this is not only a violation of the clean meaning and intent of the law, but it is a violation of PADEP's obligation to protect our environment and communities," said **Maya van Rossum, the Delaware Riverkeeper**.

**When:** Thursday, October 29, 9:30 am

**Where:** The Albert Branson Maris Courtroom, 19th Floor, U.S. Courthouse  
6th & Market Sts., Philadelphia, PA.

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