

Press Statement
November 19, 2020

Proposed Gibbstown LNG Export Terminal Delaware River Basin Commission Staff Demonstrates Opacity of their Decisionmaking Process

West Trenton, New Jersey – A letter secured through a Freedom of Information Act request to the Delaware River Basin Commission (DRBC) regarding the proposed Gibbstown LNG Export Terminal, reveals that the DRBC has posted a misleading agenda item for the December 9 Business Meeting. The agenda item reads: “At the December 9, 2020 Business Meeting, this may include but not limited to: “*Possible* (sic) Commission action on the findings and recommendations of the Hearing Officer in the matter of Docket D-2017-009-2 for the Gibbstown Logistics Center Dock 2”. Read the DRBC letter here: <https://bit.ly/35LgSUK>

It is known that the Commissioners are in the process of reviewing a report from the Hearing Officer who oversaw the legal challenge to the approval of the project brought by Delaware Riverkeeper Network. The voluminous record and complex environmental issues involved required more time and in-depth analysis than the Commissioners had been afforded when the issue was considered at their September 2020 meeting. That review is ongoing today. The vote on the approval of the proposed export terminal that would allow Liquefied Natural Gas (LNG) to be exported from the Gibbstown Logistics Center located in Greenwich Township, Gloucester County, NJ on the Delaware River (“Dock 2” Docket D-2017-009-2) has not been definitely set and the language of the agenda item does not state any action with certainty.

However, the letter obtained by Delaware Riverkeeper Network written on October 13 by Executive Director Steven Tambini to the project applicant Delaware River Partner’s attorneys states much more definitively that the decision will be made at the December 9 meeting: “The Commissioners informed me that they anticipate completing their review in time to take action at the next regularly scheduled business meeting of the Commission on December 9, 2020.”

The duplicity of giving applicants for a permit a very definitive statement while using vague language in the public agenda furthers the distrust the public has developed of the transparency and fairness of the DRBC’s decisionmaking process regarding the Gibbstown LNG terminal permit. The public is left wondering if a vote will occur while the applicants are being told a decision is expected to be made. Why wasn’t the same language used in by the letter and the agenda item? The public deserves to know what is being said; conversations regarding public decisions should never be going on behind closed doors. If this letter had not been obtained through FOIA, the public would still be misled about the certainty of the timing of the decision of this highly controversial proposal that has engaged so many people in recent months because of the far-reaching environmental and public safety impacts entailed with the enormous footprint of the proposed LNG export terminal project.

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