

For Immediate Release December 18, 2012

Contact:

Maya K. van Rossum, the Delaware Riverkeeper, Delaware Riverkeeper Network 215 369 1188 ext 102 (rings office and cell)
Ralph Kisberg, Board President, Responsible Drilling Alliance, 570-494-7583

State Asked to Supercede Permits for Tennessee Gas Pipeline Project Planned to Start January 2nd

Harrisburg, PA: In a December 18, 2012 legal filing, the Pennsylvania Department of Environmental Protection's Environmental Hearing Board was asked to issue an Order of Supersedeas that would prevent the Tennessee Gas Pipeline Company from proceeding with mobilization and tree clearing, the first steps in construction of its proposed NorthEast Upgrade Project (TGP's NEUP). The Delaware Riverkeeper Network and Responsible Drilling Alliance filed the petition, essentially a request for a stay of construction activity, together with their notices of appeal of three DEP permits issued for the project, in order to allow the groups enough time to pursue their legal challenge while maintaining the status quo.

Maya van Rossum, the Delaware Riverkeeper asserts: "The cutting of mature trees in pristine forests and along some of our highest-quality streams and wetlands is the first step in this devastating pipeline project. This project should not be allowed to move forward. Tennessee Gas Pipeline, a notorious violator of our environmental protection laws, has put forth another inappropriate project that will devastate critical ecosystems and degrade the quality of life for communities in our beautiful Upper Delaware River region. Pike and Wayne Counties deserve protection from this project, intended purely to serve the shale drilling and fracking industries at the

DELAWARE RIVERKEEPER NETWORK

925 Canal Street, Suite 3701 Bristol, PA 19007 Office: (215) 369-1188 fax: (215)369-1181 drn@delawareriverkeeper.org www.delawareriverkeeper.org expense of residents and communities. The Delaware Riverkeeper Network and Responsible Drilling Alliance deserve our day in court before irreparable harm is inflicted by TGP."

According to Ralph Kisberg, Board President of the Responsible Drilling Alliance: "As with all aspects of shale resource development, the permitting system is designed for approval and heavily weighted in favor of industry, in good part due to their technical nature. Community concerns are basically given lip service. It is therefore extremely important all legal reviews are completed before any work on the ground commences. We have a supply glut of shale gas at this time. There is no need to hurry this project except that pipeline projects are a very profitable business."

Says Jane Davenport, Senior Attorney for the Delaware Riverkeeper Network: "DEP failed to meet its fundamental obligations here to protect the Commonwealth's irreplaceable Exceptional Value and High Quality streams and wetlands by undertaking the careful review process required by its own regulations and the Clean Streams Law. It is hard to imagine how DEP regulators could have approved the NEUP permits knowing that right next door, DEP enforcement staff are still investigating the hundreds of outstanding violations TGP racked up building the 300 Line Upgrade pipeline project under practically identical permits."

The Petition for Supersedeas requests the EHB to supersede the Pennsylvania Department of Environmental Protection's (DEP) decisions to approve an Erosion & Sedimentation Control General Permit and to approve Water Obstruction & Encroachment permits for Wayne and Pike Counties for the TGP NEUP project. The Petition, filed by attorneys on behalf of the Delaware Riverkeeper Network, the Responsible Drilling Alliance, and the Delaware Riverkeeper, Maya van Rossum, asserts that DEP's decisions to approve TGP's applications for these various permits violated the law in at least three ways. First, TGP has a record of recent and on-oing environmental violations on pipeline upgrade projects on the same pipeline that clearly shows TGP cannot be trusted to comply with environmental laws. Second, DEP approved the permits even though the permit applications failed to meet the substantive requirements of the regulations. Third, DEP issued the Erosion and Sediment Control permit despite unrebutted expert analysis from the Pike County Conservation District finding that TGP's plans contained serious technical deficiencies.

The petition goes on to say: "Because DEP's improper approval of TGP's activities will result in the irreversible discharge of sediment into the tributaries of the Delaware River; the improper destruction of mature trees that prevent sediment from flowing into these tributaries and provide shading to regulate temperatures in streams and wetlands; long-lasting damage and even permanent destruction of Exceptional Value wetlands; and the disruption of macroinvertebrate populations during the time that DRN's appeal is pending, DRN will suffer irreparable harm unless the Board supersedes DEP's decisions and suspends the permits and permit authorization."

Tennessee Gas Pipeline Company's Northeast Upgrade Project is an interstate transmission line upgrade project.. The NEUP is the final pipeline upgrade project in TGP's multi-stage 300 Line upgrade project, although TGP has misrepresented that reality in order to avoid critical environmental regulation and oversight. Three of the loops that are part of this project are located within the Delaware River Basin (Loops 321, 323, and 325), which span Wayne and Pike counties in Pennsylvania, and Sussex county in New Jersey. The project includes pipeline drilling activities under the Delaware River, significant new grading and clearing of previously undisturbed forested land and steep slopes, 90 stream crossings, 136 wetland crossings, and 450 acres of land development within our watershed alone. Highpoint State Park and Delaware State Forest are among the public lands to be damaged by this project.

Currently, the western leg of the 300 Line runs from compressor station 219 in Mercer County, Pennsylvania to compressor station 313 in Potter County and consists of a 24-inch-diameter pipeline with a completed 30-inch-diameter loop along its entire length. Within the last 24 months Tennessee has applied to FERC for approval of four projects that together will compose the Eastern Leg of the 300 Line, starting at compressor station 313 in Potter County, Pennsylvania and stretching east to a delivery point in Mahwah, New Jersey.

#####

About Delaware Riverkeeper Network: The Delaware Riverkeeper Network champions the rights of our communities to a Delaware River and tributary streams that are free-flowing, clean and healthy. The Delaware Riverkeeper Network is unique in that it is founded upon the expectation of personal and community responsibility for river protection, as personified by the Delaware Riverkeeper who also serves as leader for the organization. The Delaware Riverkeeper Network, a 501(c)(3) non-profit environmental organization, works throughout the 4 states of the Delaware River watershed including New Jersey, New York, Pennsylvania and

Delaware helping decisionmakers and citizens consider and address environmental threats in their own communities; restore damaged streams, wetlands and ecosystems; collect water quality data needed to secure sound decision-making; and enforcing the environmental protection laws that keep us all safe. For additional information: www.delawareriverkeeper.org.

About Responsible Drilling Alliance: RDA is an education and advocacy coalition. We seek to educate ourselves and the public about shale resource development and all of its ramifications. RDA is a grassroots group of dedicated citizens with the widest possible set of concerns, interests and ideologies. RDA membership includes parents and grandparents, students, business people, hunters, fishermen, farmers, hikers, teachers, truckers, those who have leased their land to a gas company, and those who refused. Through outreach programs, events, public forums, and our weekly e-letter, we strive to balance the conversation. RDA advocates for federal, state and local regulations needed to protect our economy, environment, health, safety and quality of life.