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PRESS STATEMENT

Delaware Riverkeeper Network Will Appeal if DRBC approves the Gibbstown LNG Export Terminal

The Delaware River Basin Commission may vote on whether or not to approve the proposed Gibbstown Liquefied Natural Gas (LNG) export terminal (“Dock 2”) at their December 9 business meeting. Delaware Riverkeeper Network legally challenged the DRBC’s initial approval given in June 2019 by filing a petition for reconsideration, which was unanimously granted and led to more than a year of legal proceedings and an 8-day adjudicatory hearing in May 2020.

Delaware Riverkeeper Network plans to appeal the DRBC’s decision if the Dock 2 project is approved. The environmental issues that were raised over the past year and by experts engaged by Delaware Riverkeeper Network during the adjudicatory hearing have not been fully or fairly addressed by the DRBC or in the presiding Hearing Officer’s report.

The DRBC Administrative Manual, Rules of Practice and Procedure ARTICLE 6, provide that “any party participating in a hearing conducted pursuant to the provisions of this article may appeal any final Commission action” (Section 2.6.10). The appeal would be filed in federal court.

The Hearing Officer recommended the DRBC’s 2019 approval for the project be upheld, which led to the consideration of the permit (“Dock 2” Docket D-2017-009-2) at the DRBC’s September meeting. At that meeting, the Commissioners voted to delay a decision while they further investigated the issues raised in the record produced by the administrative hearing process.

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DRBC also placed a “stay” on the commencement of construction. The decision effectively stopped Delaware River Partners, the builders of the terminal, from starting construction of “Dock 2”, the dock that would provide for the export of LNG from the Gibbstown Logistics Center.

The proposed expansion of the Gibbstown Logistics Center that would provide for the export of fracked liquefied shale gas would potentially triple the activity at the terminal. The project would substantially and indelibly damage the Delaware River and its water resources. The project would require 45 acres of river dredging, its construction and operation would release pollution from the contaminated former DuPont munitions site, including [highly toxic PCBs](#), and would destroy rare river habitat and important species, including the federally endangered Atlantic and Shortnose sturgeon. The unacceptably dangerous operations that it entails, such as perpetual overland transport and transloading of flammable and potentially explosive LNG, threaten nearby communities as well as the entire Delaware River Watershed. DRBC has recently placed a priority on climate change impacts but did not conduct any climate analysis of the project’s immense release of damaging methane emissions, the most potent of greenhouse gases over the next critical decade of the global climate crisis.

The proposed Gibbstown LNG export dock is unprecedented in the basin and the region. It would be the first in the Delaware River Basin, the first in New Jersey, and would introduce enormous LNG ships that would have to navigate 84 busy river miles passing many densely populated Delaware and New Jersey communities before reaching the Atlantic Ocean.

Delaware Riverkeeper Network will appeal an approval of the Dock 2 LNG export project to fulfill its mission to defend the Delaware River, its tributary streams, and the communities that rely upon a healthy and diverse watershed. The Delaware River provides drinking water for over 17 million people, is a Wild and Scenic River by an Act of Congress and a National Estuary. These irreplaceable assets must be defended.

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