



For Immediate Release
May 21, 2010

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.....**Natural Gas Challenge Filed with**
.....**Delaware River Basin Commission by**
Delaware Riverkeeper Network and Nockamixon Township

West Trenton, NJ - Delaware Riverkeeper Network (DRN) and Nockamixon Township, Bucks County, PA have jointly submitted a hearing request concerning a decision issued by the Delaware River Basin Commission (DRBC) to allow a gas well in Nockamixon Township to move forward without DRBC review. The administrative challenge was submitted to the DRBC on May 21, 2010.

DRBC recently issued a moratorium on natural gas well approvals but the agency excluded exploratory wells from the moratorium. The exclusion of exploratory wells was protested by DRN in a May 3 letter and at the May 5 DRBC public meeting. Pennsylvania Department of Environmental Protection (PADEP) recently renewed Arbor Operating LLC's permit to drill and operate a gas well, Cabot #2, in the Lockatong Shale formation in Nockamixon Township, Bucks County, on Rapp Creek, which flows to the Wild and Scenic Lower Delaware River and DRBC's designated Special Protection Waters. DRN and Nockamixon Township jointly appealed that permit on May 18, 2010. DRBC issued an April 21, 2010 letter to Arbor notifying them that the gas well application they had submitted was no longer necessary since the well was an exploratory well and the water to be used was not substantial. This action is the subject of the administrative challenge filed today by DRN and Nockamixon Township.

According to the Request for Hearing, the Delaware Riverkeeper Network and Nockamixon Township oppose the decision based on the potential for environmental degradation and pollution to the Special Protection Waters of the Lower Delaware River and community concerns including:

- The Cabot #2 well is not intended solely for exploratory purposes yet DRBC has determined not to review the project, which is inconsistent with DRBC's Executive Director Determination that natural gas wells that will eventually produce gas will be reviewed and that water withdrawals, wastewater disposal and other activities related to natural gas extraction could adversely impact Special Protection Waters;
- DRBC's inconsistent prior communication with Arbor that required the Cabot #2 well to be reviewed by DRBC, despite its so-called "exploratory" purpose;
- DRBC has substantially shifted its policy on the "definition" of "exploratory wells", requiring a broad review which has not occurred;
- There is no consideration of the potential environmental harm from "exploratory" wells such as pollution, stormwater runoff and stream and river degradation from changed land use, wastewater disposal and water use, and stream and river flow diminishment and alterations.

"DRBC is not fulfilling its responsibility to protect the River's Special Protection Waters from degradation. All natural gas projects, including so-called 'exploratory wells', have the potential to pollute and degrade the River, its tributaries and watershed and DRBC must prevent that from happening. DRN is compelled to force this issue legally to stop the 'exploratory well' charade that could ruin our chances to save the River from the threats of gas drilling", said Maya van Rossum, the Delaware Riverkeeper.

Delaware Riverkeeper Network attorney Elizabeth Koniers Brown explained further: "By allowing 'exploratory' wells to be converted into production wells, DRBC is creating an enormous loophole and inviting gas drilling to begin in the watershed without proper oversight. DRBC's position on this issue threatens to undermine the measures it has recently taken to regulate gas drilling."

"Nockamixon Township will continue to fulfill its responsibility to ensure that proper environmental standards are respected. We are hopeful that DRBC will revisit this action so that these highly risky activities do not proceed without proper review and oversight," said Jordan Yeager, Solicitor, Nockamixon Township.

For more information on natural gas drilling in the Delaware River Watershed, go to www.delawariverkeeper.org