

December 8, 2020

Dear New Jersey Governor Phil Murphy, New York Governor Andrew Cuomo, Delaware Governor John Carney, and Pennsylvania Governor Tom Wolf,

We, the undersigned organizations and individuals, ask you to stop New Fortress Energy's proposed fracked gas export facility along the Delaware River in Gibbstown, New Jersey and take the necessary time to review several significant threats that have not been considered, including water quality impacts and public safety. New information shows that approving this facility would violate the federal Clean Water Act. This Wednesday, December 9, please stop the proposed project from moving forward.

Last week, the Natural Resources Defense Council found that the current Gibbstown site is out of compliance with federal, state, and DRBC rules governing pollution of the Delaware River from PCBs. The Gibbstown facility would be built on the former Dupont-Chemours-Repauno chemical site, which has historically served as one of the top 10 biggest PCB loading point-source facilities in the Delaware Estuary. PCBs are present on the land of the proposed Gibbstown facility as well as in the abutting Delaware River sediments. If the project were to be approved at Wednesday's meeting, it would violate the Clean Water Act's "Total Maximum Daily Load" program that establishes the maximum amount of toxic PCBs allowed to enter the section of the Delaware River where this project would be located. New Fortress Energy and its subsidiary Delaware River Partners have failed under the Clean Water Act to put in place an enforceable plan to prevent PCBs from seeping into the River -- despite a DRBC directive to do so.

As you know, PCBs are a toxic chemical and known human carcinogens -- one of only a handful of chemicals ever banned in the United States. Releasing PCBs is an environmental and public health threat. Consumption of PCBs has been linked to adverse impacts on reproductive, immune, and endocrine systems, and can be especially dangerous to pregnant women and their unborn children.

The fact that the proposal is in violation of the strict water quality laws and regulations for toxic PCBs underscores that the review by the Delaware River Basin Commission has been inadequate. The current review has also failed to sufficiently consider public safety issues, harm to endangered species in the river, and the climate change impacts.

Furthermore, we believe that it is critical that you delay any decision until President-elect Biden's Administration has the opportunity to have his representatives from the Army Corps of Engineers review this project. The project would be the first in the country of this size to transport highly-explosive liquified gas by trucks and trains through densely populated areas in Pennsylvania and New Jersey and along the Delaware River corridor. This component of the project stems in no small part from the Trump Administration's rule to rush approval of transporting highly-explosive liquefied gas by rail.

Currently, all four of your State Attorneys General are legally challenging the Trump Administration's rule and it could be struck down in court. It would defy all logic to approve the Gibbstown export facility

while your own State Attorneys General seek to overturn how the liquified fracked gas would be transported.

The Biden administration will have to deal with the consequences of the decision you are facing and should be afforded the opportunity to review the project. Given that he will assume office in one month, it is common sense to wait -- and not leave him with a likely Clean Water Act lawsuit and a polluting project that you have approved.

Finally, since the DRBC's last meeting in September, the Irish High Court struck down all the permits for New Fortress Energy to import the gas from Gibbstown to Ireland. There is no urgency for you to make this decision on Wednesday.

Please do not approve a project that will violate the Clean Water Act and reverse decades of work to eliminate PCB pollution in the Delaware River. Protecting this river, a crucial resource and the drinking water for over 15 million people, is a sacred duty that deserves the greatest possible care.

Sincerely,

Tracy Carluccio, Deputy Director, Delaware Riverkeeper Network
Diana G. Dakey, Protect Northern PA
Leonardo DiCaprio, Actor and Advocate
Roger Downs, Director, Sierra Club Atlantic Chapter
Larysa Dyrszka, MD, Executive Board Member, PSR-New York
Judith Enck, Former EPA Regional Administrator and President of Beyond Plastics
Karen Feridun, Founder, Berks Gas Truth
Adam Flint, Director of Clean Energy Programs, Network for a Sustainable Tomorrow
Wes Gillingham, Associate Director, Catskill Mountainkeeper
Amy Goldsmith, NJ State Director, Clean Water Action
Joseph Heath, General Counsel for the Onondaga Nation
Mary Anne Hitt, National Director of Campaigns, Sierra Club
Brook Lenker, Executive Director, FracTracker Alliance
Bill McKibben, Co-founder of 350.org
Jess Mullen, Chairperson, New Paltz Climate Action Coalition
Kathleen Nolan, MD, MSL, Concerned Health Professionals of NY
Doug O'Malley, Director, Environment New Jersey
David Pringle, on behalf of the Steering Committee, Empower New Jersey
Mark Ruffalo, Actor and Advocate
Matt Smith, NJ Director, Food & Water Watch
Sandra Steingraber, PhD, Concerned Health Professionals of NY
Fisher Stevens, Actor and Advocate
Jeff Tittel, NJ Sierra Club
Julia Walsh, Campaign Director, Frack Action

11,800+ signatories sent by email