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HARRISBURG, Pa. (AP) — Attorney General Kathleen Kane has filed criminal charges against XTO Energy Inc. over a 2010 spill of natural gas drilling wastewater in Lycoming County.

XTO says Tuesday that it will challenge the criminal charges, which the company calls baseless, unprecedented and an abuse of prosecutorial discretion.

Kane says that a grand jury recommended the charges for the spill of more than 50,000 gallons of toxic wastewater.

XTO is charged with five counts under the Clean Streams Law and three counts under the Solid Waste Management Act. XTO is an Exxon Mobil subsidiary, based in Fort Worth, Texas.

In July XTO reached a settlement over the same spill with the U.S. Environmental Protection Agency.

Kane says the case will be prosecuted in Lycoming County by her office's environmental crimes section.

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