

EPA region chief up to his eyeballs in Alabama bribery trial

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EPA Region 4 Administrator Trey Glenn, who testified in an Alabama bribery trial July 5 and 6, 2018. Photo credit: @ManufactureAla/Twitter

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Maybe we should look on the bright side. At least Alabama's honest.

About its dishonesty.

It does not pretend to *protect* the environment. What it does instead is *manage* it for its big business bosses. So instead of an environmental protection group we have the Alabama Department of Environmental Management. Gotta keep management happy. And by management I mean those who pollute, the businesses who call themselves good citizens as they order obedience from regulators.

Did I say honest? Humbug. It's honestly reprehensible. It's a crock of poison strewn across the land. It has never been clearer than now, as testimony and documents in the bribery trial of two powerful lawyers and a coal company executive in Birmingham illustrate how backward this train runs.

Balch & Bingham lawyers Joel Gilbert and Steve McKinney, along with Drummond Coal exec David Roberson, are on trial for bribing then-Rep. Oliver Robinson to help thwart EPA cleanup efforts in poor, toxic neighborhoods north of Birmingham. Robinson has pleaded guilty and groveled an apology on the witness stand and off. He faces up to 100 years in prison.

One of the biggest mysteries of this case - people call it the Oliver Robinson scandal but that's an injustice to the bigger scandal - has been the identity of the inside man.

Who set up the ambush? Who took inside information from regulators and forwarded it to potential polluters?



Indictment tells dirty secrets about ADEM regulation

This is how it works.

Back in 2014 Stacie Propst, then of the air quality group Gasp, was to appear before the Alabama Environmental Management Commission, the group that oversees ADEM. She sent, as requested, her Powerpoint presentation in advance. But somehow Gilbert, the lawyer representing Drummond and orchestrating the campaign to foil the EPA, got his hands on the presentation. He prepared talking points and sent them back to members of the commission. They ate Propst alive. She was peppered with pre-fab questions and data and alternative facts about the dangers of lead and arsenic, and benzo(a)pyrene.

Now we know what happened. And it's ugly.

According to testimony and court documents the man who leaked the Powerpoint was a member of the AEMC itself, Scott Phillips.

He sent it to his business partner at SE+C, Trey Glenn - who has since been appointed EPA administrator for the entire Southeast.

Glenn and Phillips - remarkably -- had a contract with Balch & Bingham to fight the EPA and coax politicians and regulators to look more kindly on potential polluters.



EPA director paid by 'poop train' conductor

Trey Glenn connected to landfill, indicted lawyers

So Glenn turned around and sent the presentation to Gilbert, who prepared the ambush.

And that's just a part of it. That's just the start of it. Glenn's testimony and emails in evidence show he and Phillips intervened in other ways for Balch.

Glenn offered suggested edits for a letter Gilbert wrote for Rep. Oliver Robinson to send to ADEM. He and Phillips introduced Robinson to important players, and paved the way for him to appear before the regulatory bodies on behalf of Balch and Drummond.

They scurried to do the bidding of Balch, even though Phillips was a state regulator at the time.



Southern EPA pick Trey Glenn is downright Orwellian

"We do not merely destroy our enemies; we change them."

Gilbert pushed Glenn to talk to current ADEM Director Lance LeFleur, to remind him that Alabama's big businesses, like Drummond, would be angry if he did not aggressively oppose EPA cleanup plans.

So he did. Emails between Gilbert and Glenn tell the story. Of Alabama

"What was ADEM's (Lefleur's) response to your statement that if they took a passive stance it would not go well?" Gilbert asked after Glenn met with LeFleur.

"A blank stare and timid nod of the head," Glenn responded.

Because they know who is boss.

Honestly. Alabama regulators do not protect the people or the environment. They manage it, for their real bosses: The potentially responsible polluters.

John Archibald is a columnist for Reckon by AL.com. His column appears in The Birmingham News, the Huntsville Times, the Mobile Register and AL.com. Write him at jarchibald@al.com.