

News

Trump EPA official pleads guilty, agrees to testify

Updated 7:47 AM; Today 7:47 AM



Trey Glenn is sworn in as the EPA's Region 4 Administrator by Deputy RA Anne Heard at the regional office in Atlanta in Aug., 2017.

By [Kyle Whitmire](#) | kwhitmire@al.com

This is an opinion column.

Trey Glenn said he did it. Most of it, anyway. And maybe that's enough.

Last week, the former regional administrator for the Environmental Protection Agency — and a Trump appointee — pleaded guilty to three misdemeanor violations of the Alabama Ethics Act.

As part of the deal, prosecutors dropped felony charges against him and he won't spend any time in jail. Instead, he must pay \$10,000 in fines and keep his nose clean during two years of unsupervised probation.

Which seems like a lot of nothing — but for the other half of his agreement.

“Part of the understanding is that Mr. Glenn will testify truthfully in any matter in which we call him and subpoena him as a witness,” Alabama Ethics Commission General Counsel Cynthia Raulston told the court.

And with Glenn's plea, there's one defendant left — Scott Phillips, Glenn's former business partner and a former member of the Alabama Environmental Management Commission.

Why all this matters takes some explanation. But it's an important development in a story a lot of folks assumed was near its end.

In 2013, the Drummond Company was in a bind. The Environmental Protection Agency wanted to add a north Birmingham Superfund site to its National Priorities List — a designation that could have put Drummond-owned ABC Coke on the hook for millions in cleanup costs.

RELATED: Dirty Business: How Alabama conspired against its own people

Drummond's lawyer, Balch & Bingham partner Joel Gilbert, and Drummond vice president David Roberson secretly enlisted public officials, from suburban mayors to U.S. Senators, to help push back against the EPA. They wrote letters for the officials to sign and deliver to the EPA as their own. And one of those officials, state Rep. Oliver Robinson, they bribed. Using the mantle of his office, Robinson spoke out against the EPA and he encouraged residents living near the Superfund site not to let the EPA test their properties for toxins.

Robinson pleaded guilty to bribery, and in 2018, a jury in federal court found Roberson and Gilbert guilty, as well.

That's the neatest distillation of one of the biggest Alabama corruption schemes of the last 10 years, but corruption is rarely so neat. Glenn and Phillips, prosecutors say, were responsible for one of the scheme's messy tendrils.

Glenn and Phillips co-owned an engineering firm that did consulting work for Drummond and Balch. That, by itself, wouldn't have been illegal, except Phillips had another job, too. He served on the AEMC, which regulates Drummond and played a big role in discouraging the EPA from moving forward with its plans in north Birmingham. In short, prosecutors have said Phillips played both sides — as a regulator and a consultant for Drummond — in violation of the Alabama Ethics Act.

And Glenn helped.

Under Alabama's ethics law, it is also illegal for a public official to accept a thing of value, including a job, from a lobbyist or a principal — a person or entity who employs a lobbyist.

As a member of the AEMC, Phillips was a public official.

Drummond Co. was a principal, registered as such with the Alabama Ethics Commission.

Gilbert and Roberson were both registered lobbyists.

In his allocution at his hearing last week, Glenn told how he and Phillips helped Drummond.

In 2014, the environmental watchdog group GASP gave a presentation to the AEMC arguing why the north Birmingham Superfund site should be added to the EPA's National Priorities List. Ahead of the meeting, GASP gave the AEMC a copy of its PowerPoint slides.

Phillips and Glenn gave those slides to Gilbert, who helped prepare a white paper of rebuttals, which Phillips and Glenn then had distributed to the other Environmental Management commissioners. It's unclear whether the other commissioners understood where the white paper came from.

But Glenn and Phillips knew, their emails, introduced as court exhibits, show.

Also, Glenn and Phillips set up a meeting between Robinson and AEMC Chairman Lanier Brown in which Robinson argued the north Birmingham site shouldn't be added to the NPL.

“This was all done in effort to help advance the interest of Drummond Company,” Glenn told the court last week.

It was only after his participation in the corruption, that Glenn joined the EPA, an appointment that ended with his indictment in 2018.

Glenn’s sentence is light and will let him move on with his life, which probably won’t include a return to public office. But before any of that, there is one more thing he’s obligated to do.

Tell the truth one more time.

Kyle Whitmire is the state political columnist for the Alabama Media Group.

You can follow his work on his Facebook page, [The War on Dumb](#). And on [Twitter](#). And on [Instagram](#).