

AIR POLLUTION

Enviros ask TVA inspector general to probe trade group ties

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Tennessee Valley Authority offices in Chattanooga, Tenn. TVA/Flickr

Three environmental groups have asked the Tennessee Valley Authority's inspector general to probe the power producer's participation in the Utility Air Regulatory Group and other industry trade organizations.

Based on preliminary research, "we have serious concerns about the use of ratepayer dollars for use in litigation and/or lobbying by UARG and its sister organizations," Energy Alabama and the two other groups wrote in a [letter](#) sent earlier this week to acting TVA Inspector General Jill Matthews. "This activity would be in direct violation of TVA's board-approved policy and as such we ask that the OIG begin a formal investigation into this matter."

A spokeswoman for Matthews' office could not immediately be reached this afternoon for confirmation that the letter had been received. A TVA spokesman declined to comment.

Besides UARG, which has been involved in some 200 federal lawsuits since 2001, the request asks Matthews to look into TVA's membership in the Utility Water Act Group and the Utility Solid Waste Activities Group.

The request, which references reporting by E&E News and other outlets, says that TVA has repeatedly stated that its UARG dues are not used for litigation or lobbying ([Greenwire](#), May 7). But in its current membership agreement, TVA also acknowledged that analyses exchanged among UARG members are crafted with the expectation that they'll be used in lawsuits, according to the request.

"In other words, the 'legal and technical expertise' that TVA claims UARG is providing exists entirely for the purpose of suing the EPA in order to fight the Clean Air Act and public health regulations," the request says.

UARG is based at the law firm Hunton Andrews Kurth LLP, where EPA air chief Bill Wehrum previously practiced. UARG members last week announced their intent to disband but have not publicly given a timetable for doing so.

The Utility Water Act Group is also tied to Hunton. The Utility Solid Waste Activities Group, housed at the Edison Electric Institute, has been represented by the firm Venable LLP in long-running litigation over EPA coal ash regulations.

Energy Alabama describes its purpose as "accelerating" the state's transition to sustainable energy. Also signing the request to the inspector general were the Center for Biological Diversity and Appalachian Voices.