

**TVA Statement on Court Filing
To Request Dismissal of Tort Claims Related to the Kingston Ash Spill
April 17, 2009**

TVA requested today that the Federal District Court in Knoxville dismiss all tort claims filed against it related to the ash spill at Kingston Fossil Plant.

TVA is making meaningful progress to restore conditions near the Kingston site. We are working as quickly and safely as possible to do this while maintaining public health and safety.

However, some area residents, and even some people well outside Roane County, have determined that legal action is how they should deal with TVA and the Kingston ash spill. In that vein, TVA must defend itself against the many lawsuits that have been filed by numerous law firms seeking millions of dollars for multiple plaintiffs, including some people who live dozens of miles from the site. At this point, TVA has a two-fold responsibility.

First, we must continue to clean up the spill, recover the ash both from property and from the Emory River, and ultimately restore the area. We are working hard and making great progress on that front:

- TVA has purchased more than 70 properties affected by the spill for a total cost of \$20 million. TVA is working to resolve other property claims.
- Ongoing, state-of-the-art monitoring of air and water samples help TVA, the U.S. Environmental Protection Agency, and the Tennessee Department of Environment & Conservation ensure that the area residents are not at risk from the spill or spill-recovery efforts. To date, TVA, in cooperation with TDEC, the Tennessee Department of Health, and EPA, has tested more than 34,000 samples of air and water in the area. Test results continue to show that air and water are within government standards. The Tennessee Department of Health has stated that all water-testing results show that "public and private drinking water is safe" and that "particulate sampling to date indicate that the air quality meets national ambient air quality standards."
- Dredging operations to recover ash from the Emory River channel began in mid-March with approval and oversight by TDEC and EPA.
- TVA is finalizing an arrangement with Oak Ridge Associated Universities to provide an independent, qualified resource to help those who live near the spill area address any health-related concerns or questions.

Second, we also have a responsibility to be good financial stewards for the 9 million ratepayers of the Tennessee Valley. This is an important balance to maintain. Today's court action helps to strike that important balance. TVA must defend itself against the multiple lawsuits that seek millions of dollars for multiple plaintiffs, including some who clearly live many miles from the plant site. TVA will protect the ratepayers' interests.