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January 20, 2014

Gina McCarthy, Administrator
U.S. Environmental Protection Agency
Washington, DC 20460
via e-mail

Dear Administrator McCarthy,

The recent drinking-water contamination incident represents a major crisis for 300,000 people living in the Charleston, W.Va. area, but it's also a wake-up call to people across the United States who rely on their public servants to ensure their health and safety. The lack of openness during this crisis by government officials and agencies has aggravated an alarming situation and left many people doubting the competence and credibility of the people in whom their welfare is entrusted.

Since the Charleston story broke January 9, many news reporters have had real difficulty getting access to — and meaningful responses from — responsible federal officials. The Society of Environmental Journalists (SEJ) calls on the Environmental Protection Agency, the Centers for Disease Control and Prevention and all other federal, state and local agencies involved in protecting public health and safety to improve media access to experts and leaders, now and in future incidents of this kind.

During crises like these, it is the job of the news media to seek reliable answers for the public and hold government agencies accountable. It is a time when the government agencies responsible for health and safety need to be active, open, transparent, and available to answer public and news media questions. From the beginning of the West Virginia emergency, government agencies seemed to be evading the news media, and by extension the public.

For instance:

-- The U.S. Environmental Protection Agency (EPA), the federal agency with primary responsibility for safe drinking water, made no comment until almost a week after the emergency was declared. The comment came from Regional Administrator Shawn Garvin, while EPA headquarters remained silent.

<http://www.wvgazette.com/News/201401150024>

*Strengthening the quality, reach and viability of journalism across all media
to advance public understanding of environmental issues*

-- The Centers for Disease Control (CDC), after advising West Virginia that a 1 ppm level of MCHM might be safe, repeatedly refused interview requests from *Charleston Gazette* reporters seeking to know the basis for that advisory level. Those refusals included one from CDC Director Thomas Frieden.
<http://www.wvgazette.com/News/201401160034>

-- The CDC initially failed or refused to make available information about the basis for its 1 ppm advisory level for MCHM. <http://capito.house.gov/uploads/cdcletter.pdf> The CDC eventually held a press teleconference offering an incomplete explanation.

After ducking the media and public for days at the beginning of the crisis, issuing canned statements at best through public affairs offices, agencies did make some efforts to communicate. Some officials were made available for interviews, and agencies offered background briefings. They were woefully inadequate, however, to overcome the fear and mistrust left by earlier failings.

The evasions were not limited to government agencies. West Virginia American Water, which owns and operates the Charleston drinking water system and is regulated under the Safe Drinking Water Act, refused to take questions directly from reporters on the crisis
<https://www.facebook.com/eyewitnessnewscharleston>

In crises like these, it's imperative for government and those entrusted with the public's welfare to inform people promptly and continually about what they know — and what they don't. Too often, in the interest of preventing panic or confusion, government agencies clamp down on their communication with the news media and the public. As happened in this case, a parsimonious public-affairs strategy all too often backfires, feeding people's fear and distrust of government.

We focus in this statement on EPA and CDC, as two of the agencies more prominently AWOL during the emergency. Other responsible agencies that owe the public an accounting in this and similar episodes include the Occupational Safety and Health Administration, the U.S. Department of Transportation's Pipeline and Hazardous Materials Safety Administration and the Coast Guard.

Even though the worst of the West Virginia emergency is past, questions about government credibility linger. Unless responsible agencies correct the transparency errors they have committed during this and previous emergencies, the problem will fester and worsen.

A minimum requirement for competent press-office response in such incidents includes:

- 24-hour access to public information officers, with prompt (less than 30 minute) callbacks.
- avoidance of rote, uninformative, general desk statements read or emailed to reporters.
- access to in-house *experts* who know the subject at hand.
- availability of responsible, informed officials for regular on-record briefings.
- availability of experts and officials for longer give-and-take on-the-record interviews, including on-camera Q&As. One-way briefings, especially if done on "background," fail miserably at clarifying complex issues and have little credibility with the public when no one is held accountable for the information provided.
- documentary evidence to support official statements, with the fewest possible restrictions.

We call on those agencies involved in ensuring public health and safety to staff up to meet information needs in emergencies like these, and to give at least equal consideration to local media in the area where the crisis is occurring, as they serve those people most affected and in need of prompt and complete information.

Links to some examples of obstacles to news media and poor transparency are appended at the end of this statement. We certainly understand that many crises arrive unexpectedly, and there is a need to coordinate action among all the various federal, state and local government entities involved in responding to emergencies like these. But the public expects the news media to perform in a crisis, and the public has a right to expect government officials to perform as well.

We would be glad to discuss ways to improve the situation any time. You can contact us via the SEJ office at (215) 884-8174.

Sincerely,

Joseph A. Davis, Ph.D., Director, SEJ WatchDog Project



Beth A. Parke, Executive Director, Society of Environmental Journalists



Linda Petersen, Chair, Freedom of Information Committee
Society of Professional Journalists

Links:

-- "WV water contamination: CDC director boots reporter to the press office," Knight Science Journalism Tracker, January 16, 2014, by Paul Raeburn http://ksj.mit.edu/tracker/2014/01/wv-water-contamination-cdc-director-boot?utm_medium=twitter

-- "West Virginia Spill Exposes Disturbing Lack Of Data About Hazardous Chemicals," Huffington Post, January 15, 2014, by Kate Sheppard http://www.huffingtonpost.com/2014/01/15/west-virginia-chemical-spill_n_4598346.html?ncid=edlinkusaolp00000003

-- "EPA: Spill size not yet known," Charleston Gazette, January 15, 2014, by Ken Ward Jr. <http://www.wvgazette.com/News/201401150024>

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Recipient List

EPA

EPA Administrator Gina McCarthy McCarthy.gina@epa.gov

Associate Administrator for External Affairs and Environmental Education Tom Reynolds

Reynolds.thomas@Epa.gov

EPA Press Secretary Alisha Johnson Johnson.alisha@Epa.gov

Office of Media Relations Director George Hull, Director hull.george@epa.gov

Region 3 Administrator Shawn Garvin R3_RA@epa.gov

Acting Region 3 PIO Donna Heron heron.donna@epa.gov

CDC

Director Tom Frieden txf2@cdc.gov

Division of Public Affairs Director Barbara Reynolds, Ph.D. Bsr0@cdc.gov

News Media Branch Chief Llewelyn Grant teamdpancd@cdc.gov