

Improving Your Right to Know

Pennsylvania Utilities Improve Scores in Second Round of Drinking Water Right to Know Reports

Beginning in the fall of 1999, water utilities were required to send their consumers an annual Right to Know Report, also called a Consumer Confidence Report. These reports are intended to tell consumers about their water supply--where it comes from, how it may become polluted, specific information about any contaminants detected in the treated water supply and how these contaminants may affect their health.

In 1999, Clean Water Fund (CWF) graded 89 Right to Know Reports issued by Pennsylvania water utilities. This year 72 reports were evaluated on issues such as readability, communication about health risks, and education about the sources of drinking water--how they may be contaminated and steps communities can take to protect them. **Reports were not graded on their water quality.**

FINDINGS

Overall, utilities scored better this year, making significant strides over their performance on the first round of reports. We were pleased to find improved distribution, more health information and some positive efforts to involve consumers in source water protection activities. Incorporating simple, low-cost changes dramatically improved scores this year and more importantly, resulted in more accurate and understandable information available to more consumers. Although real progress has been made, it is unfortunate to note that 15% of utilities still failed. There is definitely room for improvement, with real problems in a few key areas. In particular, we remain seriously concerned about the number of utilities that persist in presenting a distorted message about potential health risks and safety information.

Grade	Second Round 1999	First Round 1998
A	17%	3 %
B	39%	36 %
C	22 %	26 %
D	7 %	13 %
F	15%	21 %
Median Score	80	75

- Over 56% of utilities received above average scores of either an A or B, compared to 39% last year.
- Only 22% scored below average this year, compared to 34% who scored below a C last year.
- This time the median score for utilities was an 80, up from 75 last year.
- Four utilities scored 100 or better this year, with a high score of 116. This was an improvement on last year's top score of 90.

The improvement reflected in these numbers is even more significant when taking into consideration that none of the utilities graded this year received an A last year. In the interest of time, CWF chose to "graduate" the three utilities that received the highest scores last year.

Health and Safety

CWF was pleased to find utilities providing more health information to readers this year. Many more utilities provided consumers with information about the potential health effects of exposure to drinking water contaminants.

51% of utilities went beyond the minimum requirements for providing health effects information, compared with only 29% last year.

- 24% provided health effects information for all contaminants detected in their system.
- 24% gave additional health information about contaminants such as nitrates and lead, which pose a particular risk to children, while 4% gave extra information for people who are more vulnerable to drinking water contaminants, such as transplant patients, the frail elderly, people with HIV/AIDS and pregnant women.

The vast majority of utilities made some improvement regarding the required warning for vulnerable populations, such as highlighting the text, increasing the size, or placing it earlier in the report. Some utilities did a particularly excellent job of making this warning prominent.

- 29% of reports contained a very prominent vulnerable population warning, where only 11% did last year. However, despite this improvement, it is a real concern that such vital information is not very prominently placed in 70% of the reports.
- 4% of reports had warnings that were even more problematic, including being hidden at the end of reports or buried within paragraphs about other subjects.

It is also disturbing that a number of utilities persisted in presenting a distorted message about health effects and risk. Unfortunately, we saw virtually no improvement in this area compared to last year.

- 38% presented misleading language about maximum contaminant levels that detracts from the purpose of the vulnerable populations warning, compared to 42% last year.
- 14% of utilities included unqualified statements of safety, which cannot be supported for all people. Unfortunately, this reflects an increase from 10% last year. These statements that “your water is safe” are misleading since the vulnerable population warning makes it clear that the water may not be safe for a substantial portion of the population.

Education and Communication

Many utilities are still not taking advantage of this opportunity to provide consumers with basic information about where their water comes from and how it may be contaminated. This is a key function of the reports, as people are more motivated and better equipped to protect their drinking water sources when they have an accurate understanding of how it may be threatened. This kind of education is particularly relevant now, as the state initiates new programs to assess drinking water supplies that rely heavily on public involvement.

25% of utilities described the source of their drinking water in terms that were extremely general, such as the “Allegheny River”, which could conceivably be at any point along the 200 plus miles the watershed covers. Others were extremely technical, while still not giving any actual sense of where the water source is located. For instance, one utility described their source as “a well field composed of eight wells approximately 65 feet deep. Although our wells tap the non-artesian aquifer found in the alluvial deposits of the Ohio River, the wells were determined not to be under the direct influence of the Ohio River.”

42% of utilities did a poor job of educating consumers about potential sources of contamination, leaving off relevant sources of pollution, such as pesticides and herbicides, and more often using complicated terms such as microbial, organic, inorganic, and radioactive without providing people with a real common-sense framework for what these categories of pollution mean.

Again this year, no utilities identified specific sources of contamination, which is required when a utility has reliable information about such contamination. Many utilities have access to specific information about sources of contamination through sanitary surveys, discharge monitoring reports, toxic release inventory data, wellhead protection programs and source water assessments.

CWF did note slight improvements in regard to educating consumers about specific protection efforts happening in their community, such as the state-sponsored Source Water Assessment Program, which provides an unprecedented opportunity for formal citizen involvement in protecting their drinking water sources.

- 15% of utilities made some mention of specific protection efforts, with 6% providing information about how individuals can get involved themselves. While this is better than the mere 9% who mentioned these activities last year, 85% of the utilities are still not informing consumers about these important programs.

Access and Distribution

Obviously no matter how well a utility prepares and presents their report, it can only be useful if it actually gets into people's hands. CWF encourages utilities to do more to make sure the reports are delivered to all consumers, not just those people who are responsible for paying a water bill. This is especially important in more urban areas, where large percentages of the population are renters and are unlikely to see a water bill.

We were pleased that more utilities are delivering the reports to all residents in their service area. 38% of utilities delivered reports to all residents, an increase of 6% from last year. This is a significant increase from our initial survey conducted in 1999 showing just 20% of utilities planning to distribute the report to all consumers.

RECOMMENDATIONS

CWF's goal in producing this report is to prompt more utilities to provide all consumers with understandable Right to Know Reports that provide reliable information about threats to their drinking water supply, as well as potential health effects related to drinking water contaminants. As demonstrated by the findings of this report, many utilities have already made this a reality and serve as a positive model for others to follow. Clean Water Fund has assembled the following recommendations to assist all utilities in reaching these common goals. We encourage all utilities to voluntarily implement them in future reports.

Risk Communication

- The warning for vulnerable populations should be placed on the front page of every consumer confidence report.
- Avoid the use of unqualified statements of safety about the quality of the tap water (such as "your water is safe"), or other language that imparts a false sense of security.
- Use the definition of Maximum Contaminant Levels provided by the EPA, without providing any additional language.
- Include health effects for all contaminants detected.

Source Water Education

- Make the description of each drinking water source as specific as possible, including the common name of the water source, the specific location (address or commonly recognized location) of the intake or well, and a map which gives a visual representation of the specific location.
- Include known sources of contamination by name. when reliable information is available, as required by the regulations.
- Include information about source water protection efforts that details how individuals may participate.

Distribution

- Distribute the report to all households in the service area, using postal patron mailings or extensive door to door distribution.
- Advertise the report in local media.
- Deliver the report to hospitals, health care clinics, health care providers and community centers.

State Regulations

The Department of Environmental Protection (DEP) has begun developing a set of Right to Know regulations specifically for Pennsylvania. In order to ensure that these reports best serve the needs of consumers, DEP should seek input and actively encourage participation from a broad range of constituencies during this process. In addition, we strongly urge DEP to incorporate these recommendations into their regulations. Many utilities have already gone beyond the minimum federal requirements to improve their reports. We would note that they have done so without causing public alarm or incurring extra cost. By incorporating these recommendations, PA DEP can make sure that **all** consumers in Pennsylvania benefit from Right to Know Reports that can serve as a very readable, reliable tool in their efforts to protect themselves and their environment.

CONCLUSION

The second round of drinking water Right to Know Reports in Pennsylvania shows some real improvements. A third fewer utilities received grades in the D to F range, while another third moved into the A and B range. We were disappointed that 15% of utilities still failed, but are optimistic that our recommendations will prove helpful. A number of utilities went from an automatic failure last year to a respectable grade this year with a few minor adjustments. We are eager to see even more improvements next year and are looking to the Department of Environmental Protection to move the process forward with strong regulations.