



Do Diligence Sounding Board Report

To: Interested Parties

From: Eric Eckl, Water Words That Work, LLC

Re: Results of a Review of Earthjustice's "Coal Ash is Hazardous to Our Health" email

Date: 3/3/2010

Water Words That Work, LLC is preparing to launch a new market research service -- tentatively titled the "Do Diligence Sounding Board" -- for nature protection and pollution control organizations to use to evaluate marketing materials and messages.

The purpose of this forthcoming service is to allow you to **quickly** and **affordably** pre-test materials *before* they are final -- giving you an opportunity to improve your piece before you release it into the wild. Once the service launches, Water Words That Work, LLC will provide DDSB feedback to our clients in complete confidence.

As part of our field trials for this forthcoming service, we tested 6 petitions and other issue advocacy pieces produced by not-for-profit environmental organizations. This report summarizes what 25 "everyday citizens" have to say about the "Coal Ash is Hazardous to Our Health" email petition produced by Earthjustice. To see the email, point your browser to:

<http://docs.google.com/fileview?id=0BzW9NjG8hQoCYWY4YTdjODctYmUyZi00ZGJlLWJmMzUtOTg3Y2NIMTU0ODhh&hl=en>

By the Numbers

This email earned the highest overall marks of the 6 pieces tested in this batch. The piece most successfully conveyed the severity of the situation and the weakness of federal action to address it. The piece was considerably less successful at inspiring the readers that their efforts would actually make a difference.

Statement	1-Strongly Disagree	2-Somewhat Disagree	3-Somewhat Agree	4-Strongly Agree	Average for this Piece	Average for similar pieces
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The piece gets my attention	0	2	7	15	3.54	3.03
The piece has a clear message	0	2	5	17	3.63	3.36
The piece is believable	0	1	6	17	3.67	3.38
The issue important to society	0	2	5	17	3.63	3.18
The issue affects me or somebody I care about	5	7	9	3	2.42	2.51
It is urgent to address this issue now	0	3	7	14	3.46	2.86
I could take this action if I chose	0	3	10	11	3.33	3.29
I am confident that it would make a difference if I did	5	12	5	2	2.17	2.46
If I take this action, I'm confident that others will do their part	4	14	4	2	2.17	2.46

Their Initial Reaction

Question: "Pick one word that summarizes the feeling this piece evokes in you:"

They answered:

- "Sad"
- "scared"
- "disgusted"
- "scared"
- "Angry"
- "Pensive"
- "angry"
- "angry"
- "dirty"
- "Mad"
- "Angry"
- "Disenfranchised"
- "concerned"
- "perturbed"
- "Fearful"
- "Concerned"
- "Shocked"
- "impotent"
- "disappointed"
- "sad"
- "Outraged"
- "upset"
- "Sad"
- "ignorant"

Your Message in Their Words, Part I

Question: "In your own words, what is the issue here:"

They answered like this:

- "Toxic coal ash is a hazard to people in certain areas as it pollutes the waters, causes health problems and environmental destruction."
- "The health hazards of ash dust."
- "EPA has a plan to regulate coal ash, a very toxic waste, but lobbyists have been successful to date in blocking the approval and implementation of the plan."
- "The hazards of coal ash, and the government's lack of action"
- "Coal ash is both an environmental hazard and a health hazard."
- "Coal ash dumping sites are contaminating the environment and causing illness. The dumping is unregulated and not monitored. There is a push to legislate regulation that is being resisted by business interests. There is a legal environmental organization that is organizing action to fight for the regulation."

- "Well funded lobbyists for the coal and power industries are blocking the efforts of the EPA to get Congress to do something regarding toxic coal ash by regulating it as toxic waste and putting it under the more stringent regulations developed for toxic waste."
- "coal ash is toxic, dangerous to humans and habitats, and is poorly--if at all--regulated."
- "The issue is that the EPA and the government aren't taking any action against the pollution from coal ash even though they said they would."
- "There is no federal oversight of toxic coal ash dumps and they are affecting not only the environment, but also people's health and homes."
- "Coal ash is being stockpiled and creates a risk to public health because it is not regulated."
- "Water containing coal ash contaminating land in Tennessee"
- "Coal ash is toxic and causes poisoned drinking water and environmental destruction, as well as illnesses in people living near coal ash dump sites. The EPA should take action to regulate coal ash dust as hazardous waste."
- "The author is advocating for sterner regulations on the disposal of hazardous toxic materials such as coal ash. They give the example of the dam that broke in Tennessee a while back and the amount of destruction it caused to both the environment and human habitats. The author is upset at the big money lobbyists that are influencing Congress to not act on this issue."
- "Unregulated coal ash dump sites present a toxic danger to the surrounding population and environment. Indeed, the ash spill in Tennessee in 2008 presents this problem clearly. Thus, Coal ash must be categorized as a hazardous waste and regulated by the US Government (EPA). "
- "The EPA is contemplating regulating coal ash as hazardous waste, while energy industry lobbyists are urging inaction."
- "Coal ash dumps have existed for numerous years and are unmonitored and ignored although Americans near those dumps experiences similar issues with regards to diseases, poisoned water, and so forth. Sadly, in Tennessee one of the dumps broke and toxic coal ash destroyed homes. The EPA said it would act; however, nothing has occurred and one year has passed. Coal and power lobbyists are preventing the EPA from developing a plan to regulate coal ash waste by giving false information to people in the White House. As a result, Americans need to take swift action and contact the White House enforce and demand coal ash regulation to help protect Americans from the toxic threat."
- "The issue here is an irresponsible government that prefers a dirty profitable business over the lives and health of their citizens. It should be solved as soon as possible, but taking into consideration that coal generates tremendous income to politicians and is one of America's most abundant resources it is going to be very hard to end this vicious cycle. Only when a major catastrophe occurs(like Tennessee) they would take action, unfortunately it would be too late."
- "Improper storage and/or disposal of coal ash. It is not properly regulated by the EPA."
- "The regulation of coal ash, by the EPA, as a hazardous waste."
- "The coal and power industry lobbyists are blocking attempts by citizens and the EPA to regulate coal ash as hazardous waste. Politicians are taking kick backs to let the coal industry do what it wants."

- "The issue is toxic coal ash and how coal and power industries are not regulated to control this hazardous material. The EPA has been informed of the situation that occurred in Tennessee. However, the industries are lobbying to try and stop any regulation."
- "There are few or no regulatory restrictions on how coal ash is handled as hazardous waste."
- "This article gives a basic summery of the federal gov. failure to act on the matter of regulating coal ash."

Your Message in Their Words, Part II

Question: "The group that produced this piece is encouraging you to exercise your rights as an American citizen. In your own words, how can you influence the outcome of this situation?"

They answered like this:

- "Word of mouth in my opinion is the biggest assest we have. If enough people notice it as a problem then something will be done about it. All I need to personally do is help spread the word."
- "Let my congressman know I think we need to look into health hazards caused by this and do something to help prevent dangers from coal ash."
- "The piece urges people to call, fax or email the White House to urge that coal ash be regulated as a hazardous waste product."
- "Ask my representatives to look into the problem"
- "We can tell our congressmen that, as their constituents, they must act on our behalf. They are not in power for the coal companies, they are in power for the average American citizen. And these citizens are being harmed by the coal companies. We must tell them to act, and we must all do it."
- "I can call, email, write or visit a government entity to voice my opinion. I can donate time and/or money to support groups working on this problem."
- "By sending a letter, sending a fax or phoning the White House you can let your feelings be known to the Administration. By financially supporting Earthjustice you can help pursue the required changes by providing opposition to those lobbyists clouding the issue of regulation and oversight with falsehoods and half truths and money to buy votes."
- "Contact elected officials and encourage them to act for stricter regulation from the EPA. Become more educated on the issues."
- "I can sign a form that will send a letter to President Obama and/or to my representatives asking them to take action on this."
- "By signing the petition, writing the White House, going to the media, and calling attention to the cause."
- "By writing to my congressmen, and to the White House to encourage them to address this issue."
- "By contacting members of Congress and local officials."

- "Contact the White House and ask that comprehensive regulatory protections be established with regard to toxic coal ash."
- "I have to say that the individual citizen fighting lobbyists over such things as regulation of toxic materials for big billion dollar industries makes defeat seem inevitable. It would take a lot more than just me or any small group to change the situation. It would take a virtual consensus on the part of the American public which I pessimistically don't see happening."
- "This piece is asking me to contact the White House (Obama Administration) and ask them (and the EPA) to regulate coal ash as a "hazardous" waste as defined in the law."
- "I could contact the administration and members of Congress with oversight over environmental matters to encourage them to direct EPA to address the coal ash issue seriously. I could communicate with others online to raise awareness about the dangers coal ash may pose and the communities that already report having been affected by its being dumped in their backyards, and encourage those people to also contact the White House and Congress."
- "The group encourages people to fax or e-mail the White House to demand the regulation of coal ash as hazardous waste. Doing so will be similar to when Americans contacted the EPA and urged them to take immediate action to protect those living near those dump sites. You can influence the outcome of the situation by preventing lobbyists from obstructing our ability to live in a cleaner and healthier environment."
- "I am not an American citizen so I guess there is not much for me or the way I can stir things up to change a gruesome situation. However, I think it's very hard that the American government will back up from these profitable exercise. What I do believe is that people should be out on the streets , specially those affected by this phenomenon."
- "Contact the White House and other elected leaders and urge them to treat coal ash as a hazardous waste and enforce the regulation concerning its disposal."
- "By emailing, calling or faxing the White House and telling them that coal ash should immediately become regulated as a hazardous waste."
- "By emailing the White House and telling the President that we demand protection of our health and safety from the hazardous waste produced by big business, in particular the coal and power industries."
- "I would write to congress and the EPA to express how upsetting the lack of regulation of toxic waste is. I would also try to inform as many people as I could."
- "Click on the link provided in the article to contact the White House to give opinion. Contact my own congressman about the matter. Join an advocacy group"
- "As a citizen my rights to free speech give me the availability to add a little more volume in the overall yell going out to garnish attention to the matter of regulating coal ash."

Implications for Self or Family

Question: "Please share your thoughts on how this issue has or hasn't affected you or someone you care about:"

They answered like this:

- "I have not been affected by this ash problem nor have I noticed anyone that I care about having issues either."
- "It has not affected me or anyone I know of but this type hazard can spread if not controlled."
- "While the issue has not affected me personally or anyone that I know, it affects fellow citizens of this country, and its important to be concerned about others if society is to function responsibly."
- "It hasn't"
- "This issue hasn't really affected anyone I care about."
- "By existing, and harming others, it has been shown to be a hazard for all human life. Dumping anywhere means it is possible it may be dumped near me or a loved one in the future."
- "While I do not live in the shadow of a slough of coal ash, the simple fact that this is a reality makes my blood boil. Only Man defecates in his own nest. While this attitude toward the environment by the coal and energy companies may save a few pennies now on the energy bill, it is a false savings. Damage to the environment is most often permanent and damage to the people who have to live there is inexcusable."
- "I have visited the Appalachian region in the US and know friends who are affected directly and indirectly by the coal industry and its practices."
- "It hasn't affected me or anyone I know yet, but it probably will eventually if something isn't done."
- "It has not affected me personally (that I know of!) and I do not know anyone in Tennessee."
- "I live in an area where there is a large coal-mining industry. I do not know if there is coal ash piles around here, but it makes me want to find out."
- "I live far from Tennessee and don't know anybody there, so I don't know anybody personally affected by the issue. "
- "It hasn't affected me or anyone I know directly, but when we destroy our natural environment eventually it affects everyone on the planet."
- "Many members and friends of my family do or have worked in a coal mines. I live in the Appalachian region and I understand how important coal is to the economy. At the same time this article makes me think we need to start looking into alternative energy sources that do not produce so much waste.
Furthermore, when waste is produced, I believe it should be the responsibility of the producer to clean it up and not endanger our environment. It simply upsets me greatly that this is not the case. It further upsets me to see lobbyists in Congress against regulations and it wouldn't surprise me to hear them spread false information."
- "I was not familiar with this situation because I don't live in that part of the United States, however I have environmental friends who would be interested and (who are lawyers in this field) that would be very interested in regulating this material. The issue in Tennessee does make it a very "American" issue that requires immediate attention."
- "I was unfamiliar with the issue of coal ash and I don't know about my possible proximity to it, or that of other people I know. "
- "Luckily, I do not know people who live by coal ash dump sites; therefore, I do not know people who are affected by this issue. At the same time, I strongly feel that this

issues needs to be taken care of since it is not alright for people to be forced to live in areas that are known to cause adverse health conditions."

- "It hasn't affected my family because they mostly live in another country and the ones that live in the US don't live near coal ash dumping site."
- "I grew up in the coal fields of Kentucky and have seen the damage caused by the coal industry."
- "I am not in one of the 'direct' areas affected by the dumping of coal ash but that does not mean that products from these areas may not affect me directly. Regardless of whether I am affected directly or know someone who is, this should be changed. Indirectly I could be affected by possible higher medical insurance premiums or medical costs. Regardless, it affects someone and we should all be concerned."
- "I actually am not aware of anyone who is directly affected by this issue. But we should all be concerned. It could be us or a loved one tomorrow."
- "This issue has not affected me directly. It upsets me that there is a potential for me or anyone else to become ill due to the shrewdness of power companies."
- "I do not live near a hazardous dump site, nor do my friends or relatives. Our drinking water comes from a protected reservoir."
- "With having relatives in the coal region of south eastern Kentucky, the potential does exist to impact their livelihood. With the actual toxicity connected to the specific coal bed makeup, some in that region would be deemed to toxic for consumption based on certain regulatory models."

Shop Talk vs. Plain English

Question: "Imagine that your friends, coworkers, or family member are looking at the piece themselves. If there are any words or phrases that might be difficult for them, please share them below:"

They answered like this:

- "None that I am aware of."
- "health hazard"
- "I did not think that any words or phrases were unfamiliar or difficult."
- "None."
- "No, I feel the piece was written at about 6th grade level and should be easily read and understood by most everyone."
- "none."
- "I think people I know would understand this, but you need to give specific examples of the problems that occur from this coal ash. "
- "None, thanks!"
- "This article was very clear."
- "Everything was easy to understand - but it would be nice if it included more information about what coal ash is and where it comes from."
- "No. This article is fine in this regard."

- "Unfamiliar words:
None really, but maybe you can define "hazardous waste" so readers know what exactly is being regulated when the government categories it under this phrase.
Otherwise, the piece is well written!"
- "I felt that the words were simple and straightforward. I did not notice any jargon."
- "coal ash."
- "oversight."
- "I think it is pretty straight forward and clear."
- "The article is easy to understand. It does not contain difficult words."
- "Perhaps an explanation of what coal ash is....what is it a by product of?"
- "no it is pretty easy to grasp, and that is it's problem, fails to induce any thought."

Strengths of the Piece

Question: " In your opinion, what is the strongest or most compelling thing about this piece?"

They answered like this:

- "Well the picture would come in first place but the heading was very powerful as well. "
- "The fact no one seems to be doing anything about it."
- "The most compelling thing about the piece is the picture of the pile of coal ash - very effective in getting your attention."
- "The sudden flood."
- "The best part about this piece is that it uses actual logic for the argument. I.e.: people are being hurt, and Congress needs to fix it. They use emotional arguments, but they use it as a supplement to the facts."
- "The fact that it broke through a dam - it is not a stable/solid material. It can travel."
- "The strongest thing in the piece is that there has already been a gigantic environmental catastrophe resulting in death and property destruction and the EPA has been notified over a year ago, and yet no real progress has been made."
- "The facts about the bursting dam in Tennessee."
- "The fact that there is a plan but lobbyists are spewing misinformation and throwing money around to try to divert attention away from the problem."
- "That the gov't promised help and has not."
- "That the lobbyists are blocking the EPA from addressing this issue, and putting citizens at risk."
- "Most likely the part that states that the EPA has a plan in place, but is unable to enact it."
- "The story about the incident in 2008 when a dam burst and flooded 300 acres in Tennessee with coal ash."
- "I hate lobbyists so the fact that their are big money lobbyists against regulation of toxic materials makes me for it. "
- "I think the example of what happened in Tennessee in 2008 makes this call to action current, pressing, and alarming. Using that state as an example is a great way to get

someone's attention but also to inform readers that this is a real issue that demands action. I also liked the picture --visuals work!"

- "The fact that EPA was already poised to act suggested they found persuasive evidence of health problems associated with coal ash; the fact that lobbyists from the energy industry nonetheless seem intent on undermining this action seems to leave relevant communities with no recourse. This juxtaposition, and the specific health concerns cited, both make the issue seem important. "
- "The most compelling thing about this piece is the author's ability to call Americans into action to protect other Americans. Citing prior successful events encourages people that contacting the White House will be just as successful as contacting the EPA."
- "I think the part where they are trying to get people involved with their community."
- "The story about the dam failing and the subsequent flooding of 300 acres in Tennessee."
- "The 300 acres of land in rural Tennessee that was flooded and the government's vow to do something. Now a year later, lobbyists have been allowed to keep the government from doing anything to prevent this in the future."
- "The fact that lobbyists are once again influencing the fate of the country rather than the citizens."
- "The destruction and devastation that was cause by the flood of coal ash in Tennessee."
- "Lobbyists from the coal and power industries are blocking the efforts of the EPA."
- "I would really have to say the piece lacks anything that I would classify as strongly compelling, it does provide a link to add ones voice to the cause."

Weaknesses of the Piece

Question: " In your opinion, what is the weakest thing about this piece?"

They answered like this:

- "It says to email call or fax the white house but I highly doubt anyone would do that so the message to let them know seems to be ineffective in my opinion."
- "Needs more supporting information."
- "The weakest thing about the piece is that is does not give a summary of the extent of the problem. How many states have coal ash dumps? How many dumps are there? How large are the dumps? That type of information might make more people take action. The statement that the problem affects "millions" of people is vague without additional statistics to back it up."
- "What is coal ash? Doesn't explain that well."
- "They could have put more into the article, in the way of facts and health issues."
- "The reference to the environment needing a lawyer. Certainly, the environment needs protection. But, referencing the legal profession clouded the intent for me. Is this a group that will create side benefits for legal professionals? Or a group that is in no way associated with the profession that populates the very group it hopes to win over?"
- "The weakest thing about the piece is that it doesn't really name names of any individuals standing in the way of the EPA. The targets remain faceless and so it makes it harder to get the public to focus on the problem."

- "the ineffectiveness of a previous letter writing campaign, then basically asking for a letter-writing campaign."
- "By far the weakest part is that there is NO specific mention of exactly what kind of harm this causes to humans and no doubt to other animals in the areas of these coal ash dumps. You can't be vague, name specific things. Find out what species of animals are affected. Make that known. Sometimes people are more prone to defend animals than they are other people."
- "The whole "lobbyist bullies" thing."
- "More information on how widespread this issue might be, besides Tennessee."
- "Stating that lobbyists are spreading false information, without giving any examples or evidence to support it."
- "Just asking people to contact their government representatives doesn't seem like it will be enough to affect change. It was tried after the 2008 incident but had no effect."
- "I'm not sure I see hope for change as the federal government is just so slow to act and the fact that the article reminded me that its been a year since the disaster in Tennessee and nothing has happened just saddens me and makes me want to give up."
- "I would like to see more statistics on coal ash--its effects on the environment, etc. Without more (comparing it to other hazardous waste), I'm still unaware of what its impact really is in terms of environmental degradation and health concerns (does it go into the air, how does it affect the water supply?)."
- "Two problems stand out. First, what are the arguments against regulation of coal ash? How clear is the science on this question? How would regulation of coal ash as hazardous waste affect industry practices and the economy? It would have been good to get at least hints of answers to these questions, or links to literature that addressed them, especially given the fact that most people (or at least I) don't know much of anything about coal ash, per se, although I certainly know that air pollution from coal contributes to thousands of deaths each year. Second--and perhaps worse--how much does the damage from the 2008 incident in Tennessee reflect the toxicity of coal ash, in particular, and how much does it reflect the harmfulness of flooding of any sort? If the fact that coal ash was what flooded the affected area made the devastation worse than it would have been if, say, water had flooded the area, this fact should have been clarified explicitly, because as written the text is a bit ambiguous on this point, and even sounds like it might be trying to mislead the reader about the source of the harm in that incident."
- "The weakest part about this piece was the statement that lobbyists were spreading false information to the White House. It made the authors look a little too extreme. It would have been better to note an example. For example, the author could have said, "They are meeting with White House officials, spreading false information about coal ash, such as [place an example of a false statement made by lobbyists], ..."
- "I think sometimes people need to see more graphic or even grotesque imagery to get the point through. I'm not saying they should be sensational about it, but show a bit more intensely the side effects of such detrimental action."
- "It needs to personalize the effects of coal ash through pictures of damaged homes as well as personal stories of the effect on people's lives."
- "There is none."

- "It could use more devastating looking pictures and information about the damage caused. More graphic or disturbing to get the "readers" attention. More look at the pictures."
- "The weakest thing about this piece is that there are no scientific explanation on how coal ash affects the human body and how it impacts the environment."
- "It gives no alternate solution to the problem. So if the EPA is not able to pass legislation to make the practice illegal, what are alternatives? "
- "it's lack of passion, comes across like a limp noodle. They have failed to convey the reason why the ash is a concern. most people think of ash as a rather sterile byproduct af burning. Not as being made up of arsenic, beryllium, boron, cadmium, chromium, chromium VI, cobalt, lead, manganese, mercury, molybdenum, selenium, strontium, thallium, and vanadium, along with dioxins and PAH compounds which ar the real components nof coal ash, again depeding on the coal bed it came from(the fired coal)."

About the Do Diligence Sounding Board

Just whose opinions are these, anyway? The "Do Diligence Sounding Board" is a standing body of U.S. residents who provide feedback on marketing materials and perform related tasks in return for payment.

A major corporation recruits the board members, maintains the system for securing their feedback, and handles the financial transactions. Water Words That Work, LLC pays to access to this service, as do other marketing firms.

The feedback that you receive from the sounding board is different from feedback you receive from your peers, for three reasons:

- The sounding board members who review your materials approach them like actual everyday citizen "in the wild." They are not professionals in the field and have not participated in the drafting of the materials.
- The sounding board members have never met you, and will provide their feedback anonymously. Their feedback will not be influenced by their personal relationship with you.
- The sounding board more closely approximates the demographic makeup (especially race and education) of the U.S. "public" than the staff and board of most nature protection and pollution control organizations.

Demographic Trait	Environmental Professionals	Do Diligence Sounding Board	Traditional Telephone Poll, U.S. Sample	Actual U.S. (Census)
4 Year College Degree	95% or higher	~50%	~40%	24%
White/Caucasian	95% or higher	~80%	~80%	79%

All sounding board answers are verbatim -- including spelling and typographic errors.

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P.O. Box 2182, Falls Church, VA 22042 703.635.4380 <http://waterwordsthatwork.com>