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September 25, 2017

Mr. Greg Wischstadt
President
Portable Generator Manufacturers' Association
1300 Sumner Avenue
Cleveland, Ohio 44115

Dear Mr. Wischstadt:

In the last few weeks, unprecedented and unrelenting natural disasters have crippled large swaths of the country. They have devastated the electrical grids of many states and U.S. territories, leaving millions struggling to survive in prolonged power outages. In these affected areas and other regions often afflicted by extreme and unpredictable weather, portable generators often emerge as a lifesaver – powering refrigerators for food or medications and air conditioners or heaters that provide a safe haven from the sweltering heat or blistering cold. But portable generators have also been shown to put users at unreasonable risks of injury or death.

A portable generator produces as much carbon monoxide (CO) as 450 idling cars. Few consumers have any appreciation of the immensity of this hidden risk. It can kill a whole family within minutes when used in an enclosed space or with inadequate ventilation, which happens entirely too frequently for a number of reasons. Often used in the wake of natural disasters, it can turn already dire situations deadly. Urgent action must be taken to protect consumers from this unnecessary hazard.

I am calling on the Portable Generator Manufacturers' Association (PGMA) to adopt, within six months, new safety standards that drastically reduce the amount of CO that generators can emit. In addition, simple minor steps your industry could implement now would save lives. Manufacturers should include with the sale of their product, at no cost to consumers: 1) a CO alarm with battery backup and 2) an extension cord no shorter than 25 feet, so that consumers can actually use these products outside and far away from the house, as instructed. Continuing failure to take meaningful action is unacceptable. I am also introducing legislation that would require the Consumer Product Safety Commission (CPSC) to implement mandatory standards within one year if urgent action is not taken by your industry to protect consumers.

The deadly threat of portable generators is made painfully apparent by the tragedies in the aftermath of the recent hurricanes. According to local emergency physicians, there were 74 cases of CO poisoning from people using portable generators within the span of just two days following Hurricane

Irma.¹ Already, at least nine survivors of Irma's initial wrath have perished from CO poisoning from generator use:

- Three deaths (two teenagers and their mother) in Orlando, Florida (September 12, 2017)²;
- Two deaths in Palm Beach County, Florida (September 14 and 16, 2017)³;
- One death in Daytona Beach, Florida (September 13, 2017)⁴;
- One death, a 7-year-old, in Polk County, Florida (September 12, 2017)⁵;
- One death in Sumter County, South Carolina (September 13, 2017)⁶; and
- One death in Edneyville, North Carolina (September 15, 2017)⁷.

Sadly, these alarming numbers are merely consistent with what we have learned to expect in the aftermath of a hurricane. After Hurricane Ike in 2008, at least seven were reported dead and 54 injured – all in the four days after the storm hit – due to CO poisoning from portable generators. On average, CO poisoning from portable generators results in 73 deaths and 3,000 medically-treated injuries per year, some of them catastrophic.⁸ These numbers often spike in years with more severe weather events. In fact, researchers from Hartford Hospital in Connecticut confirmed that snowstorms and subsequent power outages may significantly increase the risk of such CO poisoning.⁹

Warnings and instructions accompanying portable generators are confusing and often not practical given the circumstances. Consumers are instructed not to use the generators indoors. However, it's not quite safe to use them outside either, where rain, snow, or ice can create an electrocution hazard. Users are also instructed to use portable generators at least 20 feet from the house – yet the product only comes with a short cord. Some of the CO poisoning deaths in the wake of Hurricane Irma occurred when the portable generator was used outside – just not far enough away. Even when used outside, CO can seep back into the house through the garage or window that was cracked open just a few inches to make room for the generator's cord.

Yet, technology has existed for years that can dramatically reduce a portable generator's CO emission rate and thereby decrease the likelihood of consumer injury or death. Portable generators that

¹ American College of Emergency Physicians (2017 September 15). Growing Reports of CO Poisoning Prompt Emergency Physicians To Urge Caution Among Hurricane Irma Victims When Using Portable Generators. *PR Newswire*. Retrieved from <http://www.prnewswire.com/news-releases/growing-reports-of-co-poisoning-prompt-emergency-physicians-to-urge-caution-among-hurricane-irma-victims-when-using-portable-generators-300520468.html>

² Speck, A. (2017 September 12). 3 die of carbon monoxide poisoning in 'tragic accident,' deputies say; Generator found inside Orlando home. *WKMG ClickOrlando*. Retrieved from <https://www.clickorlando.com/news/6-treated-for-carbon-monoxide-poisoning-in-orlando-fire-rescue-says>

³ Sacasa, A. (2017 September 21). Second person poisoned by home's generator fumes dies. *Sun Sentinel*. Retrieved from: <http://www.sun-sentinel.com/news/weather/hurricane/fl-pn-second-carbon-monoxide-death-20170921-story.html>

⁴ (2017 September 13). 1 dead, 2 in hospital after leaving generator inside home. *Fox35 Orlando*. Retrieved from <http://www.fox35orlando.com/news/local-news/1-dead-3-in-hospital-after-leaving-generator-inside-home>

⁵ Cutway, A. (2017 September 13). Carbon monoxide poisoning suspected in 7-year-old Lakeland girl's death. *WKMG ClickOrlando*. Retrieved from <https://www.clickorlando.com/news/carbon-monoxide-poisoning-suspected-in-7-year-old-lakeland-girls-death>

⁶ Associated Press (2017 September 13). Irma claims dozens of lives across Caribbean, United States. *Washington Post*. Retrieved from https://www.washingtonpost.com/national/health-science/irma-claims-dozens-of-lives-across-caribbean-united-states/2017/09/13/60eb3f24-98b5-11e7-af6a-6555caeb8dc_story.html?utm_term=.87af05828f52

⁷ Marusak, J. (2017 September 15). First N.C. death from Hurricane Irma confirmed. *The Charlotte Observer*. Retrieved from <http://www.charlotteobserver.com/news/local/article173621586.html>

⁸ Buyer, J. (2016 November 16). Portable Generators and Carbon Monoxide Poisoning. *Consumer Product Safety Commission*. Retrieved from https://www.cpsc.gov/s3fs-public/PresentationSAE_SETC.pdf

⁹ Johnson-Arbor, K. et al. "A Comparison of Carbon Monoxide Exposures After Snowstorms and Power Outages." *American Journal of Preventive Medicine*, Volume 46, Issue 5 (May 2014), DOI: 10.1016/j.amepre.2014.01.006, published by Elsevier.

use a closed-loop fuel injection and a small catalyst – the same emission control technology used on motor scooters and smaller motorcycles – can decrease CO emissions by up to 90% and increase the amount of time consumers would have to detect symptoms of CO poisoning before they are incapacitated to 96 minutes if a generator is running in a garage. Current models produce lethal levels of CO in just eight minutes.

The CPSC has been trying for over a decade to get portable generator manufacturers to pass and comply with a voluntary standard that requires that CO emissions be substantially decreased. Industry has refused and rulemaking finally began on a mandatory standard. On November 21, 2016, the CPSC had a bipartisan 4-1 vote to issue a Notice of Proposed Rulemaking (NPR), *Safety Standard for Portable Generators*. I strongly support this proposed rule, which establishes CO emissions rates for portable generators in an effort to reduce the risk of unreasonable injury or death from use of the device in an indoor or confined space.

Since this NPR, I understand that the Portable Generator Manufacturers' Association (PGMA) has asked for delays on a mandatory safety standard as it revises its voluntary standard (ANSI/PGMA G300) to consider a CO sensor and automatic shut-off system. To date, however, there do not appear to be any data produced which support that PGMA's proposed solution will adequately protect consumers and reduce the unreasonable risk of injury and death.

The CPSC's proposed CO emission standards for portable generators have been proven to be both technologically feasible and much safer. Until the industry's alternative proposal is similarly tested and proven, portable generator manufacturers must implement existing technology that has already been demonstrated to reduce the risk of consumer injury and death. If you do have any data demonstrating the validity and efficacy of PGMA's proposed solution to reduce consumer risk of unreasonable CO exposure, I respectfully request you transmit this data to my office.

Inaction or delay of any kind, in the wake of these devastating deaths, is inexcusable. I trust that you share my interest in protecting the health and safety of users of portable generators – especially as the growing frequency of severe weather events have increased the necessity of portable generators. Thank you in advance for your prompt attention to this request. Please provide a response no later than October 16, 2017.

Sincerely,



Richard Blumenthal
United States Senate