



UNITED STATES  
CONSUMER PRODUCT SAFETY COMMISSION  
4330 EAST WEST HIGHWAY  
BETHESDA, MD 20814

ACTING CHAIRMAN ANN MARIE BUERKLE

May 4, 2018

The Honorable Bill Nelson  
Ranking Member  
Committee on Commerce, Science,  
and Transportation  
United States Senate  
Washington, D.C. 20510

The Honorable Richard Blumenthal  
Ranking Member  
Subcommittee on Consumer Protection,  
Product Safety, Insurance,  
and Data Security  
Committee on Commerce, Science,  
and Transportation  
United States Senate  
Washington, D.C. 20510

Dear Ranking Members Nelson and Blumenthal:

This is in response to your April 27, 2018 letter seeking an update on the Consumer Product Safety Commission's activities regarding portable generators.

Thanks to many years of effort by the CPSC staff and generator manufacturers, safer portable generators are coming to market soon. Generators employing new carbon monoxide (CO) detection and shutoff technology will be available for purchase this summer, and the number and range of available models is expected to increase over the following months. Portable generators with lower CO emissions are also being introduced, and CPSC expects many of them to employ the shutoff technology as well.

These products are the result of an enormous sustained effort by CPSC staff as well as engine manufacturers. Indeed, the technological developments have advanced so rapidly that CPSC staff must adapt its testing programs to evaluate the effectiveness of different CO shutoff approaches. Our staff is currently working with the National Institute for Standards and Technology (NIST) to conduct testing of simulated CO shutoff approaches with generators placed at different locations in and around instrumented test houses. These tests will also vary other relevant factors such as air exchange rates representative of older and newer houses. Based on its live testing, NIST will develop sophisticated models that will allow staff to evaluate many different scenarios and shutoff algorithms.

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The CPSC staff has also been hard at work on revised voluntary standards. Both the Portable Generator Manufacturers Association (PGMA) and Underwriter Laboratories (UL) adopted revised standards in 2018. Generators meeting one or the other of these standards are expected to be available in the near future.

The revised PGMA standard, known as PGMA G-300-2018, incorporates new performance requirements addressing the CO hazard. It focuses on the ability to sense CO concentrations and shut off the engine before hazardous levels are reached. These performance requirements are in addition to the requirements of the pre-existing standard, which addressed electrical safety and many other aspects of generator safety. The revised UL standard, called UL 2001 (second edition), focuses exclusively on the CO hazard. It establishes a limit on CO emissions and also requires the use of shutoff technology. Both standards were accepted as American National Standards by the American National Standards Institute (ANSI) this year. I understand, however, that ANSI's decision to accept the UL standard has been appealed.

PGMA conducted a study of the performance requirements set forth in PGMA G-300-2018 using the same methodology employed by NIST in its work supporting CPSC's notice of proposed rulemaking. I have not yet seen any analogous study of UL 2201 (second edition).

CPSC staff will be reviewing the PGMA study and other relevant data received from outside parties. In the meantime, CPSC is working with NIST to evaluate the effectiveness of the CO shutoff technology independently.

The CPSC staff also plans to evaluate the effectiveness of the hybrid low-CO/shutoff approach required by the revised UL 2201. This will require additional funding beyond our existing interagency agreement with NIST. This is because when that agreement was finalized in September 2017, the PGMA standard was the only proposed voluntary standard containing performance requirements to mitigate the CO hazard (at the time, the proposed UL 2201 revision simply contained a test method for measuring portable generator CO emissions rates.) I have proposed to authorize this funding in connection with the Commission's FY 2018 Midyear Review. That proposal and other funding decisions are subject to approval by the full Commission, which is scheduled to address the matter at a decisional meeting on May 17, 2018.

The outcome of these research evaluations will help us determine the best course to take in our rulemaking activities. It is my hope that they will also enable us to provide useful feedback to generator manufacturers as they seek to improve the safety of their products (and to retailers and consumers as they make decisions about which products to stock and buy).

As promising as the new shutoff technology is, we must recognize that the older portable generators already in consumer hands will not all be replaced overnight. Rather they will continue to be used for some time to come. For that reason, it is crucial to keep emphasizing the message that portable generators must be kept outdoors and as far from open windows and doors as possible. CPSC's regulations already require that each portable generator bear a label warning of the CO poisoning hazard. 16 C.F.R. § 1407.3. The label must be conspicuous, and it must employ the signal word "DANGER" in white letters on a red background. The prescribed text of the label is extremely blunt; among other things, it says that using a generator indoors "can kill you in minutes." *Id.* I have directed the staff to continue enforcing compliance with this requirement vigorously.

Similarly, we must continue to emphasize the value and importance of CO alarms. The vast majority of fatalities involving carbon monoxide occur in homes without functioning CO alarms. The staff is currently seeking public comment on a proposed national in-home survey of CO and smoke alarm usage. The survey is subject to approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act. If approved, it will collect information about the use and functionality of CO and smoke alarms in conjunction with local fire departments. This information may enable us to identify obstacles to broader use and to improve our messaging efforts.

Finally, when severe weather events threaten power outages, we know that there will be increased purchases and use of portable generators. CPSC staff attempts to anticipate these occasions and works to amplify the basic generator safety messages. The CPSC regularly cooperates with other federal agencies, state and local governments and retailers to educate consumers and highlight the CO hazard, and we will continue doing so.

Portable generator safety is a top priority for me and for the Consumer Product Safety Commission. While new technologies have the potential to improve generator safety substantially, a multi-faceted approach is still needed. We must ensure not only that safer

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machines are available but also that consumers understand the CO hazard and how to minimize their risk.

Thank you for the opportunity to provide this update on CPSC activities. If you have any further question on this matter, please do not hesitate to contact me or CPSC's Office of Legislative Affairs.

Sincerely yours,



Ann Marie Buerkle  
Acting Chairman

cc: The Honorable John Thune, Chairman  
The Honorable Robert S. Adler  
The Honorable Marietta S. Robinson  
The Honorable Eliot Kaye