



U.S. CONSUMER PRODUCT SAFETY COMMISSION  
4330 EAST WEST HIGHWAY  
BETHESDA, MARYLAND 20814-4408

Record of Commission Action  
Commissioners Voting by Ballot\*

Commissioners Voting: Acting Chairman Nancy A. Nord  
Commissioner Thomas H. Moore

ITEM:

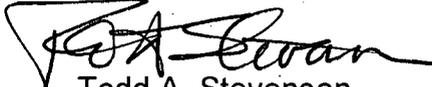
Portable Generators: Advance Notice of Proposed Rulemaking  
(Briefing package dated November 21, 2006, OS No. 4415)

DECISION:

The Commission voted unanimously (2-0) to approve with changes the draft *Federal Register* notice issuing a notice of an advance proposed rulemaking ("ANPR") which initiates a rulemaking that could result in mandatory performance standards for portable generators. The notice discusses a broad range of regulatory approaches that could be used to reduce portable generator-related deaths and injuries, particularly those related to carbon monoxide poisoning. The notice invites public comment the alternatives and any other approaches that could reduce portable generator-related deaths and injuries.

Acting Chairman Nord and Commissioner Moore submitted the attached statements to accompany their votes.

For the Commission:

  
Todd A. Stevenson  
Secretary

\* Ballot vote due December 5, 2006

STATEMENT OF THE HONORABLE THOMAS H. MOORE  
ON THE ADVANCE NOTICE OF PROPOSED RULEMAKING ON PORTABLE  
GENERATORS  
December 5, 2006

I am voting today to approve a Federal Register notice on the Advance Notice of Proposed Rulemaking (ANPR) on Portable Generators. I am very pleased that the Commission is considering what actions it might take to reduce the growing number of deaths from carbon monoxide poisoning related to the use of portable generators.

I will register my usual protest about the ballot and the Federal Register Notice having been marked "For Official Use Only" (thus restricting it from public view until after Commission action) without any analysis of whether such a restrictive designation is necessary. In this case, the original ANPR on portable generators, issued back in July of this year was unrestricted (much of which is identical to the ANPR being voted upon today), as was the Notice of Proposed Rulemaking on the labeling of generators. Such documents have been unrestricted for most of the Commission's history and there is no reason to change that long-standing policy. For a fuller discussion of this issue, see my statement on the carpet and rug standard amendments, dated October 31, 2006.

**STATEMENT OF THE HONORABLE NANCY A. NORD  
ACTING CHAIRMAN  
U.S. CONSUMER PRODUCTS SAFETY COMMISSION**

**BALLOT VOTE  
(ADVANCED NOTICE OF PROPOSED RULEMAKING FOR PORTABLE  
GENERATORS)**

**December 5, 2006**

Today I am voting to publish for comment an Advanced Notice of Proposed Rulemaking (ANPR) to address the carbon monoxide (CO) risk posed when a portable generator is improperly used in or near a home. One of the Commission's strategic goals is to reduce the number of non-fire related CO poisoning deaths associated with consumer products. We need to determine if additional measures can be taken to make generators safer to use. We must reverse the rising death toll from carbon monoxide poisoning associated with generators. I look forward to the public's comments on this ANPR, and to continuing to work with all of our stakeholders to find a solution to avoid the tragic but preventable deaths that occur from CO poisoning by portable generators.