

LOG OF MEETING

SUBJECT: Portable Generator Manufacturers Association ('PGMA') Meeting with Staff

DATE OF MEETING: December 10, 2015

PLACE OF MEETING: CPSC, Bethesda Towers, 837C, Bethesda, MD.

LOG ENTRY SOURCE: Joel Recht, ES

COMMISSION ATTENDEES: See attached attendance list

NON-COMMISSION ATTENDEES: See attached attendance list

SUMMARY OF MEETING:

- Susan Orenga, PGMA, reported that PGMA had seen an imported generator without the mandatory warning label, in a California Air Resource Board (CARB) report. Mary Toro and Howard Tarnoff, CPSC Office of Compliance, asked for details to pursue. PGMA will provide input to help CPSC get information from CARB. Ms. Toro reported that CPSC continues to take enforcement action on generators and will follow up.
- Ms. Orenga reported that PGMA believes that the mandatory label is very effective and that they believe it has reduced incident rates, and that they would like to further improve it to be "more consumer-friendly." PGMA would like to do a human factors study on an improved warning label for future consideration to potentially update the mandatory standard. Greg Wischstad, PGMA, reported that Generac (who he also represents) has confidential business information that he can provide confidentially that he believes illustrates that when all types of electrical shutdowns (storms and utility disconnects, etc.) are taken into account along with market penetration data for generators, that a "rate" normalized to "opportunities for generator use" can be measured and that this rate is decreasing, which he attributes to the success of the mandatory warning labels. CPSC staff pointed out several data needs to go with the report in order to make it more useful for staff to analyze.
- Ms. Orenga reported that PGMA believes the 2nd biggest reason for electrical shutoff (after weather) is utilities shutting service to people due to non-payment. PGMA discussed partnership opportunities to get utilities to provide their customers with information from PGMA and/or CPSC when shutting off power. She mentioned that the National Association of Regulated Utility Companies (NARUC) may be a good clearinghouse to get consistent, well branded messaging out to all of the utilities and that they should provide that directly to consumers as they are cutting off service to remind them that if they use a generator, they should keep it outdoors, away from the house.
- Ms. Orenga also discussed opportunities for PGMA and CPSC to cooperate to improve usage of CO alarms, by working with building codes, building inspectors, fire departments and industry associates to promote their use. George Borlase, CPSC staff, asked whether PGMA considered including a CO alarm in every generator box to help prevent generator-related CO deaths and injuries. Ms. Orenga pointed out that PGMA has considered that approach, but that PGMA determined that it would not be effective because portable generators get lent out to neighbors, and because they don't know the size or geometry of the houses that the generators will go to, so they don't know how many alarms are needed or where the alarms

are needed. Mr. Wischstad agreed and pointed out that the portable nature of the generators made them especially prone to being used away from the residence of the owner and that portability and use away from the owner's residence made the inclusion of a CO alarm in the box for the generator ineffective.

- Mr. Wischstad explained that PGMA formed in 2009 with the intent to develop a standard for portable generators because UL's draft standard, UL 2201, could not obtain consensus due to its proposed weatherization requirements that PGMA said would make portable generators not portable. PGMA's G300 standard obtained ANSI recognition last spring.
- Mr. Wischstad raised issues that PGMA believes the UL Task Group has been working with an over-focus on CO emission reduction and the test methods for that. He said that the pace of the UL task group meetings, which he expressed are conducted without sufficient agendas, meeting minutes, or advance receipt of meeting materials, stifles innovation. Mr. Wischstad stated that PGMA considered this pace stifling because it does not leave PGMA with sufficient time and attention to develop alternative strategies, such as an idea he personally suggested that generator manufacturers could set up odorants in the exhaust system which would dissuade the indoor use of generators. Mr. Wischstad claimed that CPSC staff's letter to UL that requested formation of the task group held the alternative strategy of a shutoff concept to a higher standard, specifically citing staff's recommendation for tamper-resistance, self-test and durability as being overly onerous. Janet Buyer, CPSC staff, pointed out that PGMA had made that claim during a UL task group meeting, after a subtask group that was considering shutoff strategies concluded the concept was infeasible and decided to disband. Ms. Buyer said it was the subtask group's prerogative to develop their own set of requirements for shutoff concepts as they felt were appropriate. Ms. Buyer stated that at that meeting a member replied that the shutoff subgroup would consider alternate requirements and possibly reinstate their efforts but she said she has not heard anything further about it. Staff recommended during this meeting that PGMA request UL to restart that subtask group. Ms. Buyer also noted that the reason the focus during many meetings has been on test methods is because 13 of the 21 task group meetings that have been held to date were meetings of the subtask group that was specifically formed to develop a test method.
- George Borlase, CPSC staff, and CPSC Chairman Elliot Kaye both assured PGMA that CPSC is interested in all approaches and urge any SDOs to follow the safety paradigm of first attempting to design out the hazard, then move to guarding and finally warnings, but also that an all-of-the-above approach including each of those was desirable. Chairman Kaye pointed out that PGMA should expect to see staff provide the Commission with a draft Notice of Proposed Rulemaking on reduced CO emissions from portable generators during fiscal year 2016. Chairman Kaye assured PGMA that even after an NPR, staff would remain fully engaged in voluntary standard development and would be very pleased to develop a solution through voluntary standards. Chairman Kaye pointed out that such an approach of voluntary standards development after an NPR appeared to be heading for a successful endpoint in the case of recreational off-highway vehicles, and that CPSC would desire to see the same type of activity for portable generators. Mr. Borlase said that if PGMA chooses to form their own task group to develop requirements for PGMA's G300 standard to address the CO hazard, CPSC staff will participate but our statute requires that the meetings must be open. Mr. Wischstad expressed that PGMA does not want to take a separate track from UL's task group.
- Finally, Mr. Wischstad brought up that PGMA believes that 5 feet is sufficient distance from house, windows and doors for the exhaust from a generator and indicated that they have confidential business information to support that claim. Staff requested the information.

MEETING ATTENDANCE RECORD

PGMA – December 10, 2015

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