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September 13, 2007

Air Resources Board
State of California
Sacramento, California

To Whom It May Concern:

About twelve years ago, I was introduced to an air purifier that used a minimal amount of ozone to clean the air. When I received this air purifier, I was miserable. I only had 80 percent functioning in my lungs. I was taking two to six allergy shots per week. I had a cabinet full of prescription and non-prescription drugs that I was taking and I was carrying a bottle of nose spray to which I had become addicted. I had bought a number of filters and other devices that purported to clean the air and I had thrown them all away. So you can imagine my skepticism when I first heard about yet one more air purifier.

I decided to try it anyway. Wow, what a difference it made! Within a short time, I threw away my prescription drugs and almost all of the non-prescriptions drugs. I was gradually weaned away from the nose spray. Because I was having fewer and fewer allergic reactions, I began taking fewer and fewer shots and finally stopped taking the shots altogether. When I went to my allergist for my annual physical, I learned that my breathing capacity had increased from the 80 percent that I had known for years and years to 100 percent!

Throughout the past 12 years, I have continued to use an air purifier that uses minimal amounts of ozone in air purifying process in both my home and office. So long as I remain in an environment where the air purifier is located, I have no problems with my allergies. My general health has dramatically improved and as long as I have my air purifier I do not become ill. At no time have I ever had an adverse reaction to the minimal amounts ozone produced by the air purifier neither while I'm home nor when I use it on higher ozone settings to more quickly clean up my environment when I'm away.

When I leave home, I wear a small personal air purifier around my neck while I am in public. If I will be away from home overnight, I always carry an air purifier in my suitcase to plug in when I get to my destination. If I do not have my air purifier, my allergies begin to return and ultimately I become ill.

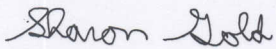
It is hard to believe that the California Air Resources Board is attempting to enforce unrealistic testing protocols that will make it unlawful to use safe minimal amounts of ozone in the air purification process. It seems unnecessary and irresponsible for a Board to assert such a heavy hand on the citizens in California. I am a responsible citizen and I have definitely benefited from using an air purifier which produces ozone to help purifier the air. If the Board takes away my

right to use my purifier in my home, what will they provide for me to use in its place? What will happen to my health and the health of others who have found similar relief from using such an air purifier?

I urge the California Air Resources Board to reconsider its position on the use of minimal amounts of ozone in the air purification process and make it a matter of personal choice for and a decision of each California citizen.

Personally, I thank God every day that I was introduced to my air purifier that uses minimal amounts of ozone in the air purification process. It totally changed my life and my health for the good!

Respectfully submitted,

A handwritten signature in cursive script that reads "Sharon Gold".

Sharon Gold, Past President
National Federation of the Blind
of California

CCFC ARB Member Meeting Summary Comments on Air Cleaner Regulation

1. Who is California Consumers for Freedom of Choice (CCFC)?

We are an advocate for protecting a consumer's right to choose the air cleaner/purifier solutions that best meet individual and family needs in all indoor environments (personal, home, business, employment, school, healthcare, recreational, travel, other) from known and unknown forms of indoor pollution & contamination: airborne, surface, or other sources for microbial contamination. Thousands of satisfied and concerned California consumers have contacted us.

2. CCFC Proposals for Modest Solutions - Strong supporter and participant in all ARB Staff proceedings, formal and informal; offered concrete suggestions for reasonable regulation and made "modest solution" alternatives that preserve reasonable consumer choices; BUT consistently rejected by Staff, and in some instances Staff proposed even more stringent or restrictive language negatively impacting consumer choices.

a. CCFC urges the Board to STOP the Rush to Judgment, and have Staff slow down as the "risk of making mistakes are too great" for consumers and society, and could be irreparable and irreversible affecting thousands upon thousands of real consumers with real indoor air quality problems (See sample testimonial attached – we have received thousands of similar testimonials). AB 2276 deadline December 2008 and Board still maintains oversight.

b. CCFC urges the Board to consider CCFC alternative proposals to Staff restricting consumer choices:

(i) Adequate warning labels and instructions on use of ozone emitting purifiers in English or alternative languages, especially where no medical or scientific evidence to support actual user harm – Staff treating air cleaners as being more dangerous than products where proven evidence of consumer harm, e.g., ETS/second hand smoke from tobacco products, pesticides, alcohol, chlorine, etc. Why the double standard?

(ii) Allow "all consumers" some higher than Federal 0.05 ppm use in non-occupied areas, as opposed to having an industrial monopoly only;

(iii) Adopt 2007 based testing standards based on current usage, current technology and scientific realities, and not outdated UL 867 testing protocols designed for different usage, different technology and outdated science – cannot revise the UL 867 decades old "duck model" into a 2007 "elephant model"; and

(iv) Allow Consumer rights relating to repair and replacement of current products that may not meet Staff Regulation after implementation date so that repaired devices shipped out of State not banned from being shipped back into State; and if

device cannot be repaired, manufacturer not banned from shipping warranty or replacement product with same features and operational controls.

c. CCFC urges the Board to instruct Staff to modify current proposed regulation and to work with "ALL" stakeholders, especially those with consumer interests.

3. Staff Proposed Regulation - Threatens to undermine Consumer Protection from known and unknown forms of indoor pollution & contamination (airborne, surface, or other sources for microbial contamination) in all indoor environments (personal, home, business, employment, school, healthcare, recreational, travel, government, other). Scientifically undisputed that indoor air pollution can be worse than outdoor and greater source of risk for contracting and exacerbating medical and health related problems, including respiratory and breathing related problems.

a. Staff Proposed Regulation will eliminate product and technology options to treat and protect against known natural and health & safety related disasters where the risk of viral, bacteria or other microbial infection or contamination, or smoke related pollution (for example, SARS, drug resistant Staph and other healthcare acquired infections, mold and smoke from wild fires and flooding, e-coli or salmonella on vegetables/food or other surfaces, etc.), and actual evidence of illness, permanent health damage, even death!

b. Staff Proposed Regulation will eliminate product and technology options to treat and protect against Healthcare Associated Infections (Senate Bill 739 - 2006).

c. Staff Proposed Regulation will eliminate product and technology options to treat and protect against Pandemic Influenza (State legislation adopting CA preparedness plan).

d. Staff Proposed Regulation will expand AB 2276 Scope to further restrict consumer choices:

(i) Staff expands definition of "occupied space" to include all but industrial space and industrial/commercial uses (any "enclosed space intended to be occupied by people for extended periods of time, e.g., houses, apartments, hospitals and offices").

(ii) Consumer use in any non-occupied or unoccupied space (that is, "no people are physically present" during the use of an indoor air cleaning device) of any air cleaner product that could exceed the Federal 0.05 ppm standard taken away – De facto business and usage monopoly given exclusively to industrial and commercial providers only.

4. Staff Proposed Regulation – A Rush to Judgment! Regulation in a Vacuum!

a. Staff stuck on decades old science, old technologies, old products, old problems, old & non-relevant testing protocols, and old rhetoric on air cleaners and ozone emissions; BUT relying on this to get regulation done quickly. Misplaced reliance by Staff on UL Standard 867 a major contributing factor to poor public policy making. AB 2276 has a December 2008 deadline for regulations, and Board will maintain continuing oversight over rules.

b. Staff ignores current science, and alternative “viable” testing protocols more suited for real world indoor environments that all stakeholders can work on, versus delegating out the development of UL “secret private testing rules and standards.”

c. Staff reliance on questionable studies and statistical samplings, and drawing conclusions from them to justify taking away consumer rights, as opposed to relying on actual medical or epidemiologic based evidence.

d. Staff rejects consumer intelligence and English language literacy by California consumers as factors to reject product labeling and operational warning alternatives.

5. Staff Proposed Regulation – Private Rulemaking & Other Competitive Concerns

a. Vested older technology and product manufacturers tend to resist the introduction of newer and competitive technology and product manufacturers. History is full of examples, such as AT&T and the Bell System, IBM, and Microsoft.

b. Private standard setting organizations developing standards capable of excluding certain products or manufacturers; oftentimes, these organizations operate in private with participating members who have potential or actual conflicts of interest with those directly impacted by the Standards (e.g., FCC Part 68 used by all telephone service companies to exclude telephone equipment competition for decades).

c. Who gains by Staff Proposed Regulation? _____

d. **Who loses the most by Staff Proposed Regulation?** We submit real consumers, with real indoor air quality problems and concerns, whose rights to choose the best product solutions for them and their families will be impaired.