



January 9, 2007

Ms. Peggy Jenkins
California Air Resources Board
Research Division, 5th Floor
1001 I Street
Sacramento, CA 95814

AB 2276 Air Cleaner Ozone Regulation

Dear Ms. Jenkins:

On behalf of the American Lung Association of California I would like to express strong support for CARB's efforts to move forward quickly to adopt regulations to protect the public from ozone emissions from indoor air cleaning devices. As the sponsors of AB 2276 (Pavley), the American Lung Association is extremely concerned about the serious public health impacts resulting from the sale of devices that generate ozone indoors. As you are aware, many devices marketed as "air cleaners" or "air purifiers" intentionally emit large amounts of ozone, a criteria air pollutant that is linked to lung illnesses, asthma attacks, lung damage in children, hospitalizations and premature deaths. In fact, there are over 630 premature deaths, over 4,900 hospitalizations and emergency room visits and over 4 million school absences attributed to ozone exposure each year. Unfortunately, many individuals who purchase air cleaners are those who are already suffering from serious lung conditions such as asthma, and so they are even more vulnerable to the adverse effects of ozone generated by these machines.

According to recent studies, ozone-generating air cleaning devices have produced levels of ozone up to three times the state outdoor air quality standard within an hour or two of operation in an enclosed space. If produced outdoors, these levels would be equal to a stage-one smog alert. If these devices were left running constantly in a home, individuals could be exposed to stage-one smog alert levels on a 24 hour basis. Clearly these levels of ozone pose a serious public health threat, especially if the individuals have an existing respiratory illness.

As stated in CARB materials, ozone is not effective in cleaning the air at levels that are safe for human occupation, and does not remove particles, chemical pollutants and biological contaminants from the home. Despite this fact, approximately 10% of households have an air cleaner that is either an intentional ozone generator or a device that generates ozone as a byproduct, and sales of air cleaners are rising. This presents a growing public health concern. Fortunately, the Legislature and the Governor have directed CARB to regulate air cleaning devices, and there are currently many choices of air cleaners on the market for individuals to purchase that do not generate harmful ozone levels.

Following are some specific comments on the draft regulatory concepts:

1. The American Lung Association of California supports the draft regulation concept to establish a performance standard that all air cleaners must meet to be sold in California. The 50 ppb ozone standard specified in the draft regulation and legislation is consistent with the existing Food and Drug Administration regulation for ozone emissions from medical devices and is health protective. We would also be supportive of efforts at the state or federal level to evaluate additional health benefits that could be achieved from standards more stringent than the 50 ppb ozone standard.
2. The American Lung Association of California urges CARB to include a ban on devices that cannot meet the 50 ppb ozone standard in the regulation.
3. The American Lung Association of California supports CARB's proposed modifications to the UL test procedure to ensure that it is a more rigorous and accurate test and ensure that concentrations do not reach 50 ppb.
4. The regulation must include strong enforcement provisions backed by consistent enforcement by state officials to ensure that only CARB certified air cleaners are sold in California.
5. CARB should set an effective date for the regulation as soon as possible after the adoption of the regulation by the CARB Board, and hopefully before the end of this year.
6. CARB should expand its public outreach and education effort in addition to pursuing the regulatory program under AB 2276 to ensure the public gets the message that ozone is not an effective air cleaner and is linked to serious health effects.

The American Lung Association strongly support CARB's efforts to place California in the lead in protecting the public from harmful ozone emissions generated by "air cleaning" devices and look forward to working with you as this regulation moves forward to the CARB Board.

Thank you very much for your hard work on this important issue and for the opportunity to comment.

Sincerely,

Bonnie Holmes-Gen
Assistant V.P., Government Relations
American Lung Association of California