



PublicService Commission <psc@utah.gov>

Fwd: FDA Regulation of LED Street Lights

1 message

Mark Baker <mbaker@softlights.org>

Sat, Sep 30, 2023 at 5:51 AM

To: psc@utah.gov

Cc: drexclark@utah.gov, Thad LeVar <tleva@utah.gov>, epeterson@utahinvestigative.org, jmiller@strib.com

Dear Utah Public Service Commission,

On September 28, 2023, I was added to the committee that has been tasked by the Food and Drug Administration Center for Devices and Radiological Health to develop recommendations for performance standards for LED products, which would include LED street lights. This is the first public acknowledgement that the FDA is indeed moving forward with publishing LED performance standards to ensure the comfort, health, safety and equal access of the public, as required by 21 U.S.C. 360hh - 360ss.

It is unknown at this time what those LED regulations will look like, but there is certainly a strong possibility that the regulations will restrict LED street lights in some way. The most likely restrictions will be a CCT limit of 2200K to protect against harm from blue wavelength exposure, a requirement of no digital flicker, and a limit on peak luminance to protect against excessively intense radiation.

I recommend that the Utah Public Service Commission notify all municipalities and all utility companies about this situation to meet their legal obligation of disclosure, so that the utilities and municipalities can plan accordingly. I recommend that the utility companies stop selling LED street lights and that municipalities stop purchasing LED street lights until the FDA publishes the standards, and that contracts between the municipalities and the utility companies state who will pay for the removal of any existing hazardous LED street lights, should that become necessary.

The publication of an ADA Accommodation Plan by any city operating LED street lights is still a requirement, as there is no guarantee that the standards that the FDA adopts will be strong enough to protect people with disabilities.

Sincerely,

Mark Baker
President
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