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Spectrum
RF
Radiation

Congress of the United States

Washington, DC 20510

September 17, 2015

The Honorable Tom Wheeler, Chairman
Federal Communications Commission
445 12th St., Southwest
Washington, D.C. 20554

Dear Chairman Wheeler,

We write with concern for the health and safety of the estimated 250,000 people who work each year in close proximity to cellular antennas and may be exposed to radiofrequency (RF) radiation in excess of the Federal Communications Commission's (FCC's) human exposure limits. Excessive exposure to RF radiation leads to well-documented potential harms, especially to workers who spend time near the antenna and in the line of the antenna's beam. At sufficient power levels and exposure durations, RF radiation has the ability to heat biological tissue. Thermal effects can include eye damage, sterility, and cognitive impairments.[1]

Even though the FCC recommends that wireless carriers control exposure to harmful RF radiation using safety protocols such as signs, barricades, and training, it has come to our attention that these recommendations have not consistently been implemented to protect workers.

We urge the FCC and the Occupational Safety and Health Administration (OSHA) to work together to enforce exposure limits and ensure wireless carriers are taking the required precautions to protect the safety of all persons who may be exposed to dangerous levels of RF radiation near wireless towers.

To close gaps in their networks and to satisfy the voracious consumer demand for their services, wireless carriers depend on leasing rooftop space and building access from property managers. As a result, cellular antennas are now found atop all kinds of buildings, including apartment buildings, schools, hospitals, places of worship, fire stations, communication towers, and other public and private buildings. Even our nation's cellular towers, which are generally free-standing structures with restricted external access, also pose both RF radiation and climber safety occupational hazards that need to be addressed to protect the workforce.

Rooftop and building mounted antenna sites also endanger not only the wireless industry's trained RF technicians but also roofers, water proofers, electricians, carpenters, building maintenance

[1] http://www.ambest.com/directories/bestconnect/EmergingRisks.pdf

personnel, HVAC technicians, painters, firefighters, and other workers who may come in close proximity and be placed at risk of RF injuries.

While wireless carriers take important precautions, such as outfitting their employees with protective equipment, providing RF exposure monitoring units, and even powering down antennas to eliminate the RF radiation hazard, their subcontractors and unaffiliated third-party workers are not regularly afforded these same protections. These subcontractors and third parties often receive no RF safety training and are left on their own to determine the existence, location, and degree of the RF radiation hazards.

Further complicating the situation, RF radiation cannot be felt, and many cellular antennas these days are constructed in a camouflage style and made to look like part of the buildings they are attached to. Known as "stealth antennas," they can be undetectable to the untrained eye. This practice further hinders efforts by even the most earnest workers to properly protect themselves. It is crucial that workers are able to take steps to safeguard themselves from the RF radiation.

A report last October from the *Wall Street Journal* revealed that one in ten antenna sites does not adhere to FCC guidelines for providing the appropriate level of awareness and control to workers who may be exposed to RF radiation above the limits for the general population.[2] In addition, last year, Verizon Wireless and the FCC's Enforcement Bureau entered into a consent decree for Verizon's alleged violations of RF exposure limits at rooftop antenna sites in Hartford, Connecticut and Philadelphia, Pennsylvania. It is unacceptable that RF warning signs have been found missing, mislabeled, unintelligible, or out-of-date, and that strategies to control access (e.g. barricades, locks, and fences) are in disrepair.

In light of these problems, the FCC has a responsibility to ensure the existence of – and compliance with – a comprehensive worker-safety framework.

We are pleased that the FCC's March 27, 2013 *Report and Order* reminds FCC licensees of their obligation to address worker exposure issues, and clarifies that workers subject to the occupational limits must be fully aware of and able to exercise control over their RF exposure. We have also noted that the *Further NPRM* advances new specific requirements for ensuring licensees comply with exposure limits under the different RF exposure categories.

We urge the FCC to move swiftly to finalize the *Further NPRM*, and to consult with OSHA and others to ensure that the final rule is effective. We also expect that in the interim, the FCC, in collaboration with OSHA, will continue to proactively enforce all existing requirements, including tower-climber safety, and hold accountable all licensees that fail to implement the safeguards required to protect workers.

We look forward to hearing what next steps you have planned to make sure that the expansion of our telecommunications infrastructure does not come at the expense of the health and safety of hardworking Americans. Thank you for your attention to this very important occupational health and safety matter.

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[2] http://online.wsj.com/articles/cellphone-boom-spurs-antenna-safety-worries-1412293055

Sincerely,

Richard Blumenthal
United States Senate

Anna G. Eshoo
Member of Congress

Cc: Thomas E. Perez, Secretary of Labor