

Re: Department of Health and Human Services - Request for Information on Electromagnetic Fields (EMFs), Radiofrequency (RF) Radiation, and Wireless Radiation Exposure

Thank you to the Department of Health and Human Services for giving me and so many others the opportunity to share our stories of how we have been harmed by unchecked electrical and radiofrequency microwave radiation.

Michele Hertz declares under penalty of perjury as follows:

1. In 2008, I was fine. I was a full time sculptor, illustrator and mother. I was active in our community and involved with local politics and environmental issues. I had recently finished the illustrations for a garden design book that was published and I was working on and selling my sculptures. After two pulsed modulated radiofrequency microwave (RF/MW) communicating digital utility (DU) meters were installed at two locations where I lived during 2008 and 2009, I became very ill and was forced to stop working. Neither I nor my doctor understood what had so suddenly happened to me.

2. By March 2010, I learned from an experienced and expert electrician that it was most likely the electric utility installed RF/MW DU meters that were making me sick. He said "something is wrong with these meters." He also told me that just around the same time that I had contacted him, he had learned about a house in nearby Irvington, New York that had burned to the ground and that the fire had originated at the DU meter.

3. Exposure to the RF/MW DU meter caused me to develop an intolerance to some electrical and all RF/MW radiation. I suspected and it was confirmed that other people in my neighborhood were also being harmed by the conducted and transmitted RF/MW radiation, DE and (possibly) harmonics caused by RF/MW DU meters. Some of my neighbors died. I began documenting and researching this unfolding public health experiment and disaster and then founded Stop Smart Meters NY (SSMNY), now known as New York Safe Utility Meter Association (NYSUMA).

4. In March 2010, I was able to convince the utilities to remove the offending RF/MW DU meters and replace them with analog meters. First though, Con Edison experimented with removing the RF/MW DU Meter and replacing it with a non-communicating DU meter. This did nothing to stop my heart palpitations, insomnia, nightmares, tingling in extremities and more, or the health problems other family members were experiencing.

5. Finally, when safe analog meters were reinstalled, the worst of the symptoms dissipated. Analog utility meters are time-tested safe electromechanical utility meters whose over-all perfect design is to register utility usage and to protect a utility consumers electric system from surges from the grid. Analog meters contain no electronic components and are therefore also protective of consumers privacy.

6. Once it became obvious that RF/MW and non-communicating DU meters were harmful, injuring people and causing fires, I tried to share this information with the utilities and local, state and federal government agencies, regulators and elected officials. I thought that there would be an interest in fixing the dangerous problems with DU meters. I was wrong.

7. My efforts started with the utilities, who told me to contact the Federal Communications Commission (FCC) and the New York State Public Service Commission (NYSPSC) because I was told that these two agencies were responsible for approving DU Meters. Employees of the utilities also told me that the NYSPSC had mandated DU meters, which was false.

8. I and hundreds of New York State residents phoned, emailed, mailed and submitted testimony to proceedings at the NYSPSC about the harm and fires that DU meters were causing. We were ignored and later learned that the NYSPSC had "dead ended" many of our comments because the agency "had no idea what to do with our comments." I was personally told by the head of consumer affairs at that time that the NYSPSC "would no longer be posting any comments relating to health" on any of its proceedings. I also learned that the NYSPSC relied both on the FCC license number and its own outdated 16 NYCRR Part 92 Operating Manual from 2003 as standards for approving RF/MW and non-communicating DU meters.

9. I and members of our small community group contacted the FCC and were told to contact the NYSPSC. Because we had already done that, we contacted the NYS Department of Health, which told us to contact the FCC.

10. I contacted the Board of Directors at Con Edison who put me in touch with the company's "Health and Safety Division." A man from that department came to our house and he was surprised when I used my own RF/MW equipment to show him the extreme spiking RF/MW transmissions from the DU meters in my neighborhood. He tried hard to convince me that DU meters were safe.

11. I contacted the FCC again and again and one time a man there told me on the phone that "we don't deal with humans, only frequencies" and he hung up on me.

12. I contacted the Department of Health and Human Services (HHS) by phone and email and they referred me to the Department of Energy (DOE) and the Environmental Protection Agency (EPA) and the Federal Drug Administration (FDA). I and others submitted testimony to the FDA, the Radiological Equipment Complaints bureau of the FDA, the Federal Consumer Product Safety Commission and the U.S. Justice Department. Each effort led back to the FCC - a dead end.

13. We also contacted local, state and federal elected officials. They also told us to get in touch with the FCC.

14. For the reasons above we took matters into our own hands and hired Isotrope, an industry friendly wireless communications technology company to come to our town and investigate the conducted RF/MW frequencies on the electrical wiring that originated at the DU meter and to measure the pulsed modulating spikes of RF/MW radiation transmitting from the DU meters. The investigation found that each time the RF/MW transmitted out from the DU meter, it also conducted onto the electrical wiring of the home he was testing.

15. From the Isotrope Report we learned that the FCC used flawed testing protocols for DU meters. That test, Part 15.247 Certification, is to detect interference and it is not designed to test utility meters. For this test, the FCC accredited laboratory uses a set-up that is equipped to test electronic equipment with power cords. Utility meters do not have power cords. In order to fit a DU meter into a test modality that is not designed for utility meters, the lab alters the meter by adding a power cord to it and then plugs that into an isolated outlet. This test fails to include consumer and utility electrical wiring to which meters would need to be connected and the unpredictable variables found within actual electrical systems.

16. In the only FCC testing procedure performed on DU meters, the meter was not connected to, nor did it interact with realistic conditions found within electrical systems, electronic and wireless equipment, building materials and biological systems. These are all essential to determining if there will be electrical problems, electronic equipment failures, fires and/or adverse health effects, after digital meters are installed.

17. Utility regulators across the country base their approval of RF/MW DU meters on a flawed FCC test for giving a license number to RF/MW DU meters.

18. Utilities falsely and continuously claim that the RF/MW radiation from DU meters falls within “safe” RF/MW guidelines set by the FCC. First, the FCC guidelines are outdated and not protective of health or the environment and, second, the FCC never tested RF/MW DU meters for conducted and transmitted RF/MW radiation emissions.

19. Utilities falsely claim that RF/MW radiation from DU meters falls within “safe” standards set by the American National Standards Institute (ANSI): This is erroneous and misleading. The ANSI standard the utilities refer to is not a safety standard but instead a standard for accuracy and performance.

20. In 2011, the International Agency for Research on Cancer (IARC), part of the World Health Organization, classified RF/MW radiation as a Class 2B possible carcinogen, along with DDT, engine exhaust and lead. Moreover, scientists have urged that this be changed to a Class 1 carcinogen designation, due to sufficient evidence that RF radiation causes cancer in humans, as well as other illnesses.

21. In 2016, the National Toxicology Program, an arm of the National Institutes of Health, completed a highly relevant \$30 million toxicology study: It concluded that

RF/MW radiation causes adverse health effects, including DNA damage and cancer. This study was repeated in Italy at the Ramazzini Institute with the same results.

22. American Embassy workers, suffering from “Havana Syndrome”, report the same debilitating health effects as those of us who have been injured by pulsed modulated RF/MW radiation from DU meters: The National Academy of Sciences, Engineering and Medicine concluded that Havana Syndrome is likely caused by pulsed RF/MW radiation from directed RF microwave weapons and/or spy equipment.

23. In the last 17 years, I have witnessed hundreds of people, including me and my family members, develop EMR Syndrome, illnesses and death caused by DU meters, cell towers, WiFi routers, Dect phones and more. I have watched as cell tower companies get away with putting up unneeded cell towers in environmentally fragile places resulting in the disappearance of core insects. I have never stopped documenting all of this.

24. This all has left me to live with EMR Syndrome and to get sick when exposed to RF/MW radiation, dirty electricity and harmonics. I am especially afraid of having a heart attack when near an RF/MW radiation spewing DU meter. The last time, 5 years ago, that I was too close to one that was on the outside of a building that spent time in, I developed heart arrhythmia. I am now 68 years old and every day, I live with the threat of the utility taking away the analog meter and replacing it with a DU meter. This is no way to have to live.

25. I did not consent, nor do I consent today, to the continuous, involuntary exposure to pulsed modulated, biologically harmful and active electrical and RF/MW radiation. In addition, I also never consented to having a utility company or any company collect my private utility usage data to sell for a profit to third parties, without my permission!

I declare under penalty of perjury that the foregoing is true and correct.

Date: October 21, 2026

s/

Michele Hertz

References:

[The Isotope Report](https://static1.squarespace.com/static/5a9ede31f2e6b10db4aaa0d8/t/5ae782b003ce643d71528e0b/1525121712611/Isotope+Report.pdf)

<https://static1.squarespace.com/static/5a9ede31f2e6b10db4aaa0d8/t/5ae782b003ce643d71528e0b/1525121712611/Isotope+Report.pdf>

ICBE-EMF paper: <https://icbe-emf.org/fcc-and-icnirp-limits/>

Panagopoulos:

a 2025 review: Panagopoulos DJ, Yakymenko I, De Iuliis GN and Chrousos GP (2025) A comprehensive mechanism of biological and health effects of anthropogenic extremely low frequency and wireless communication electromagnetic fields. *Front. Public Health* 13:1585441. doi: 10.3389/fpubh.2025.1585441.

<https://www.frontiersin.org/journals/public-health/articles/10.3389/fpubh.2025.1585441/full>

Panagopoulos, D. ed. (2021). *Electromagnetic fields of wireless communications: Biological and Health Effects*. CRC Press.

<http://dx.doi.org/10.1201/9781003201052>