

January 25, 2025

BY EMAIL

FOIA Request Service Center
US Department of Energy
FOIA-Central@hq.doe.gov

Re: FOIA Request – General Service Lamps NEPA Decision

Dear FOIA Request Service Center,

In 2005, Congress passed the Energy Policy Act. In this act, Congress listed the following objectives in Section 912(c): “The objectives of the Initiative shall be to develop advanced solid-state organic and inorganic lighting technologies based on white light emitting diodes that, compared to incandescent and fluorescent lighting technologies, are longer lasting, are more energy-efficient and cost-competitive, and have less environmental impact.”¹

The Soft Lights Foundation contends that the US Department of Energy did not meet these objectives because Light Emitting Diode technology is not “energy-efficient” when compared to the incandescent light bulb, because solid state technology has more environmental impact, not less, and because LED light is hazardous to human health, including causing acute reactions such as seizures and migraines.

On April 4, 2022, the DOE issued a Categorical Exclusion for the 45 lumen per watt rule for General Service Lamps, writing “The NEPA Compliance Officer therefore determines that the proposed rule would not have a significant individual or cumulative impact to human health and/or environment, is consistent with actions contained in DOE categorical exclusion A5.”²

On March 21, 2023, the DOE issued a final denial of the Soft Lights Foundation petition to repeal the 45 lumen per watt rule for General Service Lamps.³

On May 30, 2023, the Soft Lights Foundation submitted a request to the DOE to comply with 21 U.S.C. 360ii and establish and maintain a liaison with the Food and Drug Administration

¹ <https://www.congress.gov/109/plaws/publ58/PLAW-109publ58.pdf>

² <https://www.energy.gov/sites/default/files/2022-07/CX-026079.pdf>

³ <https://www.regulations.gov/document/EERE-2023-BT-PET-0003-0003>

to publish performance standards for Light Emitting Diode (“LED”) products.⁴ The DOE did not respond.

On January 20, 2025, President Trump issued an Executive Order titled Unleashing American Energy, which states, “(f) to safeguard the American people’s freedom to choose from a variety of goods and appliances, including but not limited to lightbulbs, dishwashers, washing machines, gas stoves, water heaters, toilets, and shower heads, and to promote market competition and innovation within the manufacturing and appliance industries”.

The Department of Energy’s decision to set a 45 lumen per watt, and later a 120 lumen per watt, minimum ignores thousands of peer-reviewed research papers showing that LED light, especially blue-rich light, is a significant human health and environmental hazard. The Soft Lights Foundation asserts that a Categorical Exclusion from National Environmental Policy Act analysis is unjustified and unsupported. Therefore, the Soft Lights Foundation hereby requests the following documents from 2005 through 2024 related to LED General Service Lamps under the Freedom of Information Act. In the list below, the term “documents” shall mean all documents, research, emails, agreements, memos, meeting minutes, justifications, public comments, petitions, and publications.

1. All documents related to the decision by the DOE to grant the Categorical Exclusion from NEPA requirements for the CFR rule setting a 45 lumen per watt minimum for GSLs.
2. All documents related to the decision by the DOE to grant the Categorical Exclusion from NEPA requirements for the CFR rule setting a 120 lumen per watt minimum for GSLs.
3. All documents involving communication with the FDA on human health impacts of visible light electromagnetic radiation from electronic products, also known as artificial light.
4. All documents involving communication with the EPA on environmental impacts of visible light electromagnetic radiation from electronic products, also known as light pollution.
5. All documents related to the how the DOE defines the term “less environmental impact”.
6. All documents related to the how the DOE defines the term “cumulative impact to human health”.
7. All documents related to the how the DOE defines the term “cumulative impact to environment”.
8. All documents related to how the DOE defines the term, “significant”.
9. Provide a Vaugh Index for any documents that are not released.

These documents will create the administrative record for the APA lawsuit for the NEPA Categorical Exclusion.

⁴ <https://www.softlights.org/wp-content/uploads/2023/06/DOE-Petition-to-Collaborate-with-FDA.pdf>

Sincerely,

/s/ Mark Baker

President

Soft Lights Foundation

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