

# U.S. LOCAL CELL TOWER AND WIRELESS FACILITY LAWS

**Examples of Ordinances That  
Protect Community Interests By  
Regulating Cell Towers and  
Wireless Antennas**

[A compilation of laws by Environmental Health Trust](#)

# U.S. LOCAL CELL TOWER & SMALL CELL LAWS



**Every municipality is responsible for adopting its own set of laws governing the placement, design standards, and safety features of wireless telecommunications equipment installed and/or operated by companies like Verizon, AT&T, T-Mobile, Dish, and Crown Castle.**

Strong local cell tower laws are important because they can better protect scenic corridors and environmentally-sensitive areas, safeguard public health and safety, preserve historic zones, protect property values, and ensure that residents are notified about pending and approved wireless antenna applications.

Aggressive telecom industry wireless infrastructure deployment plans often fail to consider important community interests.

This resource provides local elected officials and members of the public with examples of community protective legislative policies that have been adopted by municipalities across the United States.

**While some states do have streamlining laws that impact their authority in various ways, there are numerous issues that still can be addressed with well considered ordinances.**

**\*DISCLAIMER:** Each municipality adopts slightly different definitions of key terms like 'cell tower,' 'freestanding wireless facility,' and 'wireless antenna.' Further, your state may have adopted a 5G "small cell" streamline bill which could preclude local officials' ability to implement installation setback requirements. This briefing is not legal advice but simply information on various policies nationwide. Also, these ordinances do not necessarily ensure safety or safe levels of radio-frequency (RF), but several do increase the distance between homes and telecommunications network base station antennas that emit RF, which generally could decrease the exposure from such antennas.

Please review the actual telecommunications ordinance codified by each municipality listed below to understand the true meaning and scope of the enacted legislative language. If you have questions or concerns, email [info@ehtrust.org](mailto:info@ehtrust.org), or direct message our team on Facebook [@Environmental Health Trust](https://www.facebook.com/EnvironmentalHealthTrust).



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# U.S. LOCAL CELL TOWER LAWS



## ORDINANCES AIMED AT RETAINING LOCAL CONTROL

### [Shelburne, MA](#) & [Encinitas, CA](#):

- Strong purpose statement
- Great installation setbacks
- Fantastic pre-notification requirements
- Extensive radio-frequency radiation testing protocol(s)
- Comprehensive design standards
- Thorough administrative review process
- \*Encinitas, CA's ordinance also includes critical fire safety protocols

### Top Examples of Strong Installation Setbacks

- [Shelburne, MA](#): no wireless antennas within 3,000 feet of schools and within 1,500 feet of homes and no new wireless antennas in residential zones.
- [Copake, NY](#): no wireless facility may be within 1,500 feet from homes, schools, churches, or other buildings containing dwelling units.
- [Sallisaw, OK](#): no commercial wireless telecommunications towers within 1,500 of homes.
- [Calabasas, CA](#): no "Tier 2" wireless telecommunications facilities within 1,000 feet of homes and schools.
- [Bedford, NH](#): No wireless antennas within 750 feet from nearest residentially-zoned property.
- [Scarsdale, NY](#): No wireless facilities within 500 feet from homes, schools, parks, and houses of worship.

### More Ordinances With Strong Installation Setbacks

- [Davis, CA](#): no freestanding wireless facilities within 500 feet of residential zone and schools.
- [Westlake Village, CA](#): no facilities 500 feet of homes.
- [Randolph, MA](#): no wireless antennas 500 feet homes/ businesses.
- [Petaluma, CA](#): no "small cell" antennas within 500 feet of homes.
- [Suisin City, CA](#): no "small cell" antennas within 500 feet of homes.
- [Contra Costa County, CA](#): no new high-visibility facilities or towers within 300 feet of residential zones.
- Ithaca NY



# U.S. LOCAL CELL TOWER LAWS

## Ordinances With Exemplary Radiofrequency Radiation (RF)

### Testing Requirements

#### Scarsdale, NY

- Pre-testing and post-installation testing (within 30 days after transmission begins) to demonstrate actual compliance with FCC radiation emissions guidelines.

#### Davis, CA:

- Pre-installation RF analysis conducted by state-licensed/registered RF engineer to determine maximum power density of proposed wireless facility at full buildout.
- Pre-installation report estimating cumulative electromagnetic radiation levels and levels surrounding the proposed installation site.
- Post-installation RF report (must be submitted within five days after transmission begins).

#### Fairfax, CA

- RF testing must be conducted one month post-construction and every year thereafter to verify that actual levels of radiation being emitted by approved facilities, operating alone and in combination with other approved facilities, conform to current FCC radiation emissions limits.

#### Suisun City, CA:

- Telecom permittee must conduct post-installation RF emissions testing to demonstrate actual compliance with FCC radiation emissions guidelines. During testing, the facility must be operating at maximum power.

#### Copake, NY:

- Pre-testing of RF emissions and post-testing within 30 days after transmission begins to ensure compliance with FCC emissions limits.
- Balloon tests required within 35 days of application submission (dates and times of the balloon test shall be advertised by the applicant and notice of the test date will be printed in a newspaper of popular circulation).

#### Great Barrington, MA

- Routine, annual radiofrequency radiation emissions assessments to ensure continued compliance with FCC emissions limits

#### Dalton Gardens, ID:

- Within 45 days of initial operation of the facility, the permittee must submit written certification by a licensed professional engineer that radiofrequency radiation emissions comply with limits, including cumulative impacts from other nearby facilities.
- If the City has reason to believe that a facility is exceeding allowable FCC radiation emissions limits, then a hearing shall be scheduled before the Planning and Zoning Commission where the owner of the facility and/or facility operator shall be required to show cause why permits issued by City shouldn't be revoked and why no fine should be imposed.





# EXEMPLARY U.S. LOCAL CELL TOWER LAWS

## NOTICE TO THE COMMUNITY



### Strong Pre-Notification Requirements

#### [Dalton Gardens, ID](#)

- 1,500-foot mailed notice for Type II and Type IV applications.
- 300-foot notice for Type I and Type II applications.
- Applicant shall post notice on proposed site advising the public of the public hearing.
- Public hearing required for each special permit application.

#### [Scarsdale, NY](#)

- Mailed pre-notification to residents within 1,000 feet of a proposed installation site.
- Notice must be posted at the proposed installation site no more than five feet off the ground for the entire duration that the application is pending a decision.

#### [Calabasas, CA](#)

- Mailed pre-notification to all residents within 1,500 feet of proposed facility & public hearing.

#### [Little Silver, NJ](#)

- Mailed pre-notification to residents within 500 feet of proposed installation site.

#### [Rancho Palos Verdes, CA](#)

- Mailed pre-notification to all residents within 500 feet of a proposed installation site.

#### [Baton Rouge, LA](#)

- Mailed pre-notification to residents within 300 feet of the proposed installation site.
- Attach a posted notice (blaze orange placard) at the precise location of the proposed facility within 2 days of submitting application.

# PRE-NOTIFICATION REQUIREMENTS: EXEMPLARY U.S. LOCAL CELL TOWER LAWS

## Notable Pre-Notification Requirements

- [Suisun City, CA](#): Mailed pre-notification to all residents within 500 feet of the proposed installation site.
- [Town of North Hempstead, NY](#): Mailed pre-notification to all residents within 350 feet of proposed installation site.
- [San Diego, CA](#): Mailed pre-notification to all residents within 300 feet of proposed installation site (must be less than 1,000 residents within 300-foot radius of proposed site to require mailed notice).
- [Davis, CA](#): Mailed pre-notification to all residents within 300 feet of the proposed installation site.
- [Keane, NH](#): Mailed pre-notification to all residents within 300 feet of the proposed installation site.
- [Petaluma, CA](#): Mailed pre-notification to all residents within 300 feet of proposed installation site for new construction and/or modifications to existing structure.
- City of Walnut Creek, CA: Mailed pre-notification to all residents within 300 feet of proposed installation site.
- [Thornton, CO](#):
  - Mailed pre-notification to all properties within 250 feet of the “small cell” facility.
  - Notification must include a copy of the applicant’s notification letter, a copy of the notification letter translated to Spanish, and certificates or proof of mailing the letter must be on letterhead of the owner of the small cell facility.
  - The letter must notify property owners of the upcoming installation, type of installation (stand-alone, attachment, etc.), location, and include a sample depiction, photo, or drawing of the installation; a copy of the letter translated to Spanish must also be mailed to property owners.

## Most Comprehensive Design Standards for 5G “Small Cell” Facilities:

- [Western Springs, IL](#)





# STRONG U.S. LOCAL CELL TOWER LAWS

## WILDLIFE AND ENVIRONMENT



## Environmental Impact Assessment Rules

### Petaluma, CA:

- All telecommunication facilities shall be sited to minimize the effect on environmental resources.
- No telecommunications facility or related improvements shall be sited so as to create a significant threat to the health or survival of rare, threatened or endangered plant or animal species.
- No telecommunications facility shall be sited such that its presence threatens the health or safety of migratory birds.
- Potential adverse impacts upon nearby public use areas such as parks or trails shall be minimized.
- The facility shall comply with all applicable city floodplain, floodway and storm drainage and erosion control regulations.
- Drainage, erosion, and sediment controls shall be required as necessary to abide soil erosion and sedimentation of waterways. Structures and roads on slopes of ten percent or greater shall be avoided. Erosion control measures shall be incorporated for any proposed facility which involves grading or construction near a waterway or on lands with slopes over ten percent. Natural vegetation and topography shall be retained to the extent feasible.
- No telecommunications facility or related improvements shall be sited such that their construction will damage an archaeological site or have an adverse effect on the historic character of a historic feature or site.



# STRONG U.S. LOCAL CELL TOWER LAWS

## TREE PROTECTIONS IN SITING WIRELESS ANTENNAS



### [Fairfax, CA](#)

- Prior to issuance of building permit, the telecom applicant shall obtain the Zoning Administrator's approval of a tree protection plan prepared by a certified arborist if the installation of a wireless facility will be located within the canopy of street tree, a protected tree on private property, or within 10-foot radius of the tree base.

### [Washington, DC:](#)

- Standalone "small cell" pole may not be located within 15 feet of tree's protected zone.
- No tree shall be removed, have its protected root zone impacted, and/or pruned to accommodate the installation or functioning of "small cell" infrastructure.
- Standalone poles are prohibited within 15 feet of any open tree planting space.

### [Denver, CO](#)

- "Small cells" must be at least 15-25 feet from a tree trunk so that no proposed disturbance shall occur within 5 feet of the critical root zone.

### [Thornton, CO](#)

- Poles shall not be located less than 15 feet or within the drip line of an existing tree, whichever is greater in order to protect the health of the tree.

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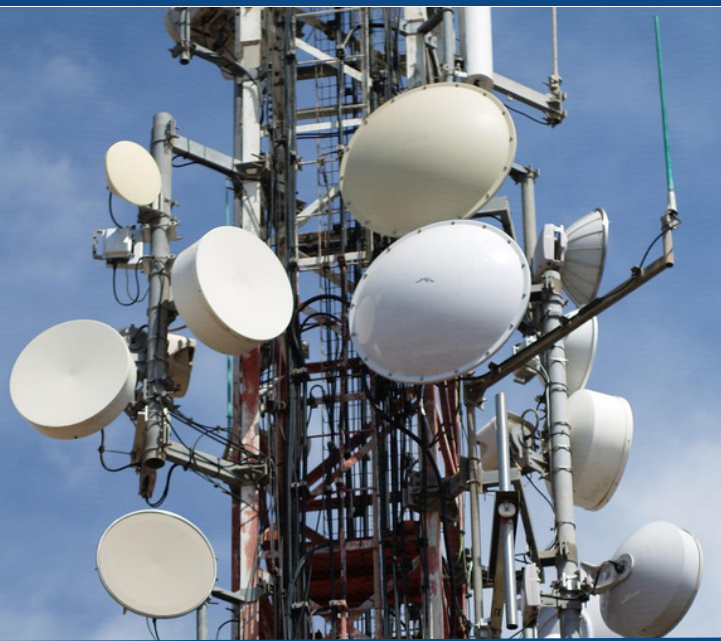
### [Albemarle County, VA](#)

- The telecom applicant shall submit a tree conservation plan prepared by a certified arborist. The plan shall specify tree protection methods and procedures, identify all existing trees to be removed on the parcel for the installation, operation and maintenance of the facility, and identify all dead and dying trees that are recommended to be removed.
- In approving the plan, the agent may identify additional trees or lands up to 200 feet from the lease area to be included in the plan.

### [Moscow, ID](#)

- A tree protection plan prepared by a certified arborist must be completed if the installation of a "small cell" wireless telecommunication facility will be located within the canopy of a street tree, or within a 10-foot radius of the base of such a tree.

# 5G, CELL TOWERS AND WIRELESS LEGAL & LIABILITY ISSUES



**When a new cell tower is proposed, the first question to ask is: "Do you have insurance for damages from long-term exposure to the radiofrequency radiation (RFR)?"**

**Usually the answer is "No." Why? Insurance companies rank the risk as "HIGH."**

## **5G and Cell Towers Are an Uninsurable Risk**

- Insurers rank wireless, cell tower, and 5G RFR non-ionizing electromagnetic field (EMF) radiation as a "high" risk, comparing the issue to lead and asbestos.
- Most insurance plans have "electromagnetic field exclusions" and do not insure for long-term RFR damages.
- Additionally, some insurance plans will not provide a defense for any supervision instruction or recommendation given "or which should have been given" in connection to EMFs.
- Wireless RFR and non-ionizing electromagnetic radiation are defined as a type of "pollution" by wireless companies themselves.
- U.S. mobile operators have been unable to get insurance to cover liabilities related to damages from long-term RFR exposure.
- Wireless companies warn their shareholders of RFR risk but do not warn users of their products, nor do the companies warn the people exposed to emissions from their infrastructure.

# Cell Tower Companies Warn Shareholders of Risk From Cell Tower Radiation

## Why Don't They Warn Families Living Near Cell Towers?



### **Verizon 10-K Report**

"Our wireless business also faces personal injury and wrongful death lawsuits relating to alleged health effects of wireless phones or radio frequency transmitters. We may incur significant expenses in defending these lawsuits. In addition, we may be required to pay significant awards or settlements."

### **Crown Castle 10-K Report**

"We cannot guarantee that claims relating to radio frequency emissions will not arise in the future or that the results of such studies will not be adverse to us...If a connection between radio frequency emissions and possible negative health effects were established, our operations, costs, or revenues may be materially and adversely affected. We currently do not maintain any significant insurance with respect to these matters."



### **AT&T 10-K Report**

"In the wireless area, we also face current and potential litigation relating to alleged adverse health effects on customers or employees who use such technologies including, for example, wireless devices. We may incur significant expenses defending such suits or government charges and may be required to pay amounts or otherwise change our operations in ways that could materially adversely affect our operations or financial results."



### **T- MOBILE 10-K Report**

"Our business could be adversely affected by findings of product liability for health or safety risks from wireless devices and transmission equipment, as well as by changes to regulations or radio frequency emission standards."





# Cell Tower Companies Warn Shareholders of Risk From Cell Tower Radiation

## Why Don't They Warn Families Living Near Cell Towers?



**AMERICAN TOWER®**

**NOKIA**  
CONNECTING PEOPLE



### **American Tower 10-K**

"If a scientific study or court decision resulted in a finding that radio frequency emissions pose health risks to consumers, it could negatively impact our tenants and the market for wireless services, which could materially and adversely affect our business, results of operations or financial condition. We do not maintain any significant insurance with respect to these matters."

### **Nokia 10-K**

"Although our products are designed to meet all relevant safety standards and other recommendations and regulatory requirements globally, we cannot guarantee we will not become subject to product liability claims or be held liable for such claims, which could have a material adverse effect on us."

### **Qualcomm 10-K**

"If wireless handsets pose health and safety risks, we may be subject to new regulations, and demand for our products and those of our licensees and customers may decrease."

### **Ericsson Annual Report**

"Any perceived risk or new scientific findings of adverse health effects from mobile communication devices and equipment could adversely affect us through a reduction in sales or through liability claims."

# T-Mobile Warns of the Risk of 5G and Lawsuits

## *The Data on Risk Could Change, Impacting Cash Flow*



T-Mobile advertises to the public about going "live" but omits the warnings they give to shareholders regarding 5G, regulatory changes and risk perception.



### T-Mobile 10-K Report 2/2023

"Negative public perception of, and regulations regarding, the perceived health risks relating to 5G networks could undermine market acceptance of our 5G services" (page 13)

"We, along with equipment manufacturers and other carriers, are subject to current and potential future lawsuits **alleging adverse health effects arising from the use of wireless handsets or from wireless transmission equipment such as cell towers.**"

"In addition, **the FCC has from time to time gathered data regarding wireless device emissions, and its assessment of the risks associated with using wireless devices may evolve based on its findings.** Any of these allegations or changes in risk assessments could result in customers purchasing fewer devices and wireless services, could result in significant legal and regulatory liability, and could have a material adverse effect on our business, reputation, financial condition, cash flows and operating results." (T-Mobile 10-K Report page 21)



**A 2000 Ecolog Institute Report commissioned by T-Mobile and DeTeMobil Deutsche Telekom MobilNet recommended an RF exposure limit 1000x lower than the FCC's current power density limit after reviewing the research on biological effects, including impacts to the immune system, central nervous system, hormones, cancer, neurotransmitters and fertility.**

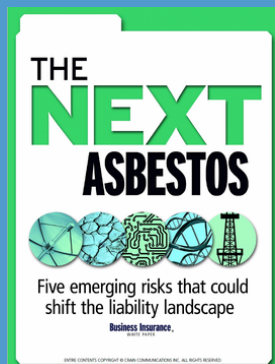
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5G, CELL TOWERS AND WIRELESS

# LEGAL & LIABILITY ISSUES SHAREHOLDER WARNINGS



"Some research has shown biological effects from lower-level "non thermal" exposure and people exposed at lower levels have reported headaches, dizziness, nausea, mood disorders, mental slowing and memory loss."

***Business Insurance White Paper,  
The Next Asbestos: Five Emerging Risks  
That Could Shift the Liability Landscape***

## **Insurance Authorities Rate 5G as "High Risk."**

5G mobile networks are classified as a "high," "off-the-leash" risk. "Existing concerns regarding potential negative health effects from electromagnetic fields (EMF) are only likely to increase. An uptick in liability claims could be a potential long-term consequence" and "as the biological effects of EMF in general and 5G in particular are still being debated, potential claims for health impairments may come with a long latency."  
— Swiss Re Institute (2019)

## **Insurance Companies Have Electromagnetic Field Exclusions As the Industry Standard**

Electromagnetic field exclusions" are clear and common in most insurance companies. It is applied as a market standard. This exclusion serves to exclude cover for illnesses caused by long-term EMF (non-ionizing radiation) exposure." — Complete Markets

"Exclusions: This insurance does not apply to: Bodily injury, personal injury, advertising injury, or property damage arising directly or indirectly out of, resulting from, caused or contributed to by electromagnetic radiation, provided that such loss, cost or expense results from or is contributed to by the hazardous properties of electromagnetic radiation.  
— Portland Oregon Public School Insurance (page 30)

## **Insurance Plans Not Only Exclude EMF Damages, But Some Even Exclude Defending Decision Makers From Actions**

"This policy does not apply to and we will not provide a defense for: a. bodily injury... arising out of ... exposure to or contact with electromagnetic radiation... b. costs of abatement .. of EMF" or c. any supervision, instruction, recommendation, warning or advice given or which should have been given in connection with a or b. above."- City of Ann Arbor Michigan Insurance Policy page 14.

## **Wireless Companies Rank EMF as a Risk with High Impact**

"Electro-magnetic signals emitted by mobile devices and base stations may be found to pose health risks, with potential impacts including: changes to national legislation, a reduction in mobile phone usage or litigation."  
— Vodafone 2017 Report ranks EMF as a "Principal Risk with "High" impact.

## **Wireless Companies Warn Shareholder About Risk But Not People Living Near Their Wireless Infrastructure**

### **Crown Castle says:**

"We cannot guarantee that claims relating to radio frequency emissions will not arise in the future or that the results of such studies will not be adverse to us...If a connection between radio frequency emissions and possible negative health effects were established, our operations, costs, or revenues may be materially and adversely affected. We currently do not maintain any significant insurance with respect to these matters."

## **Wireless Companies Define Pollution in Their Own Policies as Including EMFs, Microwaves and Non-ionizing Radiation.**

Verizons Total Mobile Protection Plan says: "Pollution" is defined as "any solid, liquid, gaseous, or thermal irritant or contaminant including smoke, vapor, soot, fumes, acid, alkalis, chemicals, artificially produced electric fields, magnetic field, electromagnetic field, sound waves, microwaves, and all artificially produced ionizing or non-ionizing radiation and/or waste."



**You work best  
when your tech  
works too.**

**Total Mobile Protection  
for Business**



Applicable for Business customers outside of New York. New York customers, please see the Total Mobile Protection for Business brochure for New York.

verizon asurion

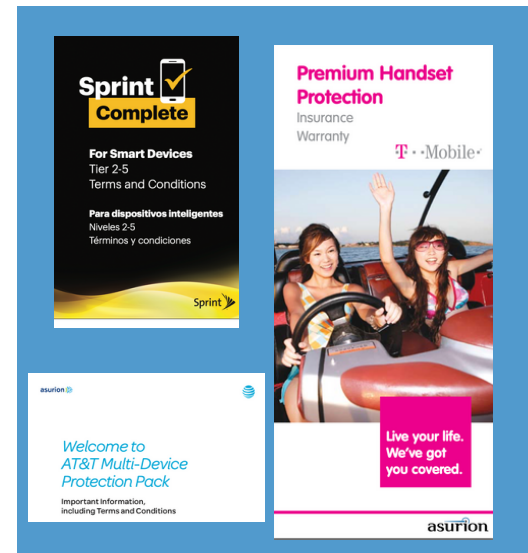
# Verizon Total Mobile Protection Plan Defines Non-ionizing Radiation as "Pollution"

## 16. Pollution

The discharge, dispersal, seepage, migration or escape of pollutants. Pollutants means any solid, liquid, gaseous, or thermal irritant or contaminant including smoke, vapor, soot, fumes, acid, alkalis, chemicals, artificially produced electric fields, magnetic field, electromagnetic field, sound waves, microwaves, and all artificially produced ionizing or non-ionizing radiation and/or waste. Waste includes materials to be recycled, reconditioned or reclaimed.

**AT&T, Sprint and T-Mobile also have similar "pollution" definitions and they refuse to cover damages.**

*Click on image to view the policy.*



# Insurance Companies Exclude EMF As Industry Standard

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## ELECTROMAGNETIC RADIATION EXCLUSION

This endorsement modifies insurance provided under the following:

GENERAL LIABILITY COVERAGE PART  
PUBLIC RISK GENERAL LIABILITY RETAINED LIMIT COVERAGE FORM  
LAW ENFORCEMENT COVERAGE PART  
LAW ENFORCEMENT LIABILITY RETAINED LIMIT COVERAGE FORM  
PUBLIC OFFICIALS COVERAGE PART  
PUBLIC OFFICIALS LIABILITY RETAINED LIMIT COVERAGE FORM  
EMPLOYMENT PRACTICES LIABILITY COVERAGE PART  
EMPLOYMENT PRACTICES LIABILITY RETAINED LIMIT COVERAGE FORM

The following **Exclusion** is added:

This policy does not apply to and we will not provide a defense for:

- a. "Bodily injury," "property damage," "personal and advertising injury," "employee benefits wrongful acts," "personal injury," "law enforcement wrongful acts," "public officials wrongful acts," "educator's legal wrongful acts," or "employment practices wrongful acts" arising out of, or which result in, the actual, alleged, threatened, perceived, latent, sudden and accidental or incidental exposure to or contact with electromagnetic radiation in any form, from any source.
- b. The costs of abatement or mitigation of:
  - (1) Electromagnetic radiation; or
  - (2) Exposure to electromagnetic radiation.
- c. Any supervision, instruction, recommendation, warning or advice given or which should have been given in connection with a. or b. above.

Electromagnetic radiation includes but is not limited to, magnetic energy, waves, fields or forces generated, produced, transmitted or maintained by the charges, currents, frequencies, energy or forces of electricity that is generated, flowing or otherwise transmitted through or via the medium, methods and equipment designed to generate, produce, distribute, transport or transmit the electrical charges, currents, frequencies, energy or forces.

# CHILDREN'S VULNERABILITY TO WIRELESS RADIOFREQUENCY (RF) RADIATION



## **The American Academy of Pediatrics states:**

"In recent years, concern has increased about exposure to radio frequency (RF) electromagnetic radiation emitted from cell phones and phone station antennas. An Egyptian study confirmed concerns that living nearby mobile phone base stations increased the risk for developing:

- Headaches
- Memory problems
- Dizziness
- Depression
- Sleep problems

Short-term exposure to these fields in experimental studies have not always shown negative effects, but this does not rule out cumulative damage from these fields, so larger studies over longer periods are needed to help understand who is at risk. In large studies, an association has been observed between symptoms and exposure to these fields in the everyday environment."

**-American Academy of Pediatrics**  
**[HealthyChildren.org](https://www.healthychildren.org)**

## **Cell towers and cell phones emit wireless radiofrequency (RF) radiation.**

Children are more vulnerable to RF radiation, just as they are to other environmental exposures. They have proportionately more exposure to RF compared to adults. More importantly, a child's brain is rapidly developing and more sensitive. Even very low exposures in childhood can have serious impacts later in life.

## **Children absorb higher levels of RF radiation deeper into their brains and bodies because they have:**

- Thinner skulls allow RF radiation to move easier into the brain.
- Higher water content in brain tissue which is more conductive to electricity.
- Smaller heads result in a shorter distance for the RF to travel from the skull to critical brain regions important for learning and memory.

## **Children are more sensitive to RF impacts because:**

- Their brains are still developing.
- Children have more active stem cells- a type of cell scientifically found to be uniquely impacted by RF.
- Children will have a longer lifetime of higher exposures, starting from before they are born.



# PUBLISHED RESEARCH STUDIES



## RESEARCHERS RECOMMEND CELL TOWERS BE DISTANCED AWAY FROM HOMES AND SCHOOLS

The review paper entitled “[Limiting liability with positioning to minimize negative health effects of cellular phone towers](#)” reviewed the “large and growing body of evidence that human exposure to RFR from cellular phone base stations causes negative health effects.” The authors recommend restricting antennas near homes, and restricting antennas within 500 meters of schools and hospitals to protect companies from future liability ([Pearce 2020](#)).

An [analysis](#) of 100 studies published in *Environmental Reviews* found approximately 80% showed biological effects near towers. “As a general guideline, cell base stations should not be located less than 1500 ft from the population, and at a height of about 150 ft” ([Levitt 2010](#)).

A [review](#) published in the *International Journal of Occupational and Environmental Health* found people living less than 500 meters from base station antennas had increased adverse neuro-behavioral symptoms and cancer in eight of the ten epidemiological studies ([Khurana 2010](#)).

A [paper](#) by human rights experts published in *Environment Science and Policy* documented the accumulating science indicating safety is not assured, and considered the issue within a human rights framework to protect vulnerable populations from environmental pollution. “We conclude that, because scientific knowledge is incomplete, a precautionary approach is better suited to State obligations under international human rights law” ([Roda and Perry 2014, PDF](#)).



# CELL TOWERS NEAR SCHOOLS

## SCHOOL CELL TOWER SETBACKS

Many communities have policies, ordinances or zoning that ensures cellular antennas are restricted to a specific minimum distance from schools. Hempstead, New York requires a special use permit for cell towers near schools.

Examples of cell tower/4G/5G small cell setbacks/preferred placements for schools:

- Palo Alto, California: 1,500 feet
- Copake, New York :1500 feet
- Los Altos , California: 500 feet
- Walnut City, California: 1,500 feet
- Bar Harbor, Maine: 1,500 feet
- Sallisaw, Oklahoma: 1,500 feet
- Shelbourne , Massachusetts: 1,500 feet
- Stockbridge, Massachusetts: 1,500 feet
- San Diego County California 1,000 feet
- Encinitas California:500 feet
- Scarsdale New York: 500 feet
- Ithaca, New York: 250 feet

## CELL TOWERS REMOVED FROM SCHOOL GROUNDS

- Milpitas California: School Board asked Crown Castle and T-Mobile to relocate the cell tower to remote location.
- Ripon California: Sprint moved the cell tower at elementary after students and staff developed cancer and parents argued children should not be guinea pigs.
- Alameda California cancelled cell tower contracts.
- Dekalb County Georgia dropped school tower plan.

## SCHOOL BOARDS

- Palo Alto Unified School District Cell Tower Resolution supports the City 1,500 setback and opposes cell tower "on or in close proximity to schools to ensure individuals, especially children, are protected from the potential negative effects associated with radiation exposure."
- West Linn-Wilsonville Oregon School Board prohibits cell towers on school property.
- Vancouver School Boards Resolution: 1,000 feet
- Greenbelt Maryland Council opposes school towers.

## DID YOU KNOW?

- The International Association of Firefighters passed a Resolution opposing cell towers on its stations in 2004 after a study found neurological damage in firefighters with antennas on their fire stations.

## LOS ANGELES UNIFIED CA SCHOOL DISTRICT

- 3 resolutions opposing cell towers on school property.
- The District Office of Health and Safety developed a "cautionary level" for radiofrequency radiation 10,000 times lower than FCC regulations because, *"it is believed that a more conservative level is necessary to protect children, who represent a potentially vulnerable and sensitive population."*

## SCHOOL BOARDS THAT REVERSED COURSE

- Montgomery County Maryland Schools policy does not allow cell towers on elementary schools.
- Prince George's County Maryland School Board decided not to renew a cell tower construction master leasing agreement that had allowed over 60 schools to be marketed as cell tower sites.
- Portland Oregon Schools ended new leases for cell towers.

## EXPERT RECOMMENDATIONS

- The New Hampshire State Commission 5G Health and Environment Report recommends a setback of 1640 feet for schools.
- The Collaborative For High Performance Schools (Green building rating program) has LOW EMF Criteria which includes no cell towers on school property.

## THE EPA SCHOOL SITING GUIDELINES

Lists exposure to electromagnetic fields and the fall distance as "potential hazards" from cell towers. The EPA guidelines recommend schools "identify and evaluate cell towers within ~200 feet of prospective school locations."

## PUBLISHED RESEARCH

- 500 meter buffer recommended for schools to reduce liability and minimize risk (Pearce 2019)
- A moratorium on 5G pending safety research (Frank 2020)
- A precautionary approach is better suited to State obligations under international human rights law (Roda and Perry 2014)
- Increased cancer deaths near cell antennas (Rodrigues 2021)
- Studies find: DNA Damage( Zothansiana 2017), Diabetes (Meo 2015), Cognitive effects (Meo 2018), sleep problems and headaches (Abdel-Rassoul 2007, Levitt & Lai 2010, Shahbazi-Gahrouei 2013)

# PARENT TEACHER ASSOCIATIONS

# CELL TOWERS & WIRELESS

## BC CONFEDERATION OF PARENT ADVISORY COUNCILS

- Two resolutions. One calls on each Board of Education to have one public school at each education level that is free of Wi-Fi, cordless phones, and cell phones.
- The second calls on the Boards of Education to "cease to install Wi-Fi and other wireless networks in schools where other networking technology is feasible."

## CALIFORNIA PTA

- Resolution on Electromagnetic Fields
- PTA can educate and inform districts, councils and units about the potential hazards of EMFs to encourage school districts and schools to develop risk reduction policies and to disseminate information on the subject."

## PALO ALTO, (CA) PTA

- Fact sheet on "Safe Use of Technology" which distributed to all the schools in the Palo Alto Unified School District

## PACIFIC GROVE (CA) PTAs

- Forest Grove Elementary Pacific Grove Middle School and Pacific Grove High School PTAs sent a letter to City Council opposing a high school cell tower.

## FLETCHER HILLS (CA) PTA

- Resolution encouraging schools to use cable lines Internet connections and to avoid wireless networks on campus.

## FLETCHER HILLS (CA) PTA

- Resolution encouraging schools to use cable lines Internet connections and to avoid wireless networks on campus.

## PHOENICIA ELEMENTARY NY PTA

- Sent a letter to the Onteora School District calling for the Wi-Fi to be turned off.

## NEELSVILLE MIDDLE SCHOOL PTA (MD)

- Voted to oppose proposed cell tower.
- Hosted parent information session with both the cell tower company and Environmental Health Trust.

## NEW YORK STATE PTA

- Resolution on Cell Towers supporting:
  1. laws that regulate tower placement near schools
  2. research into the long-term effects of RFR
  3. education for parents and school officials regarding cell towers and health.

## CASTLE HILL HIGH SCHOOL (AUSTRALIA) P&C COMMITTEE

- Funded ethernet plugs to reduce wireless exposure in classroom.
- Developed "Mobile Phone Safety Tips & Cyberbullying Information," which includes how to reduce cell phone and wireless radiation

## MONTGOMERY COUNTY (MD) PTA

- Safe Tech PTA Committee shares online and print resources on reducing RFR exposure and on digital safety issues such as privacy.
- Meets monthly with school IT department.

## HILLSMERE ELEMENTARY SCHOOL PTA (MD)

- Sent letters to the school board in opposition to cell towers near the school.

## BRIARLAKE ELEMENTARY (GA)

- Voted to oppose cell tower after board approved towers on schools.



# NORTH AMERICA TEACHER UNIONS

# WI-FI IN SCHOOLS

## UNITED EDUCATORS OF SAN FRANCISCO

- Resolution on Safer Technology calls for the California cell phone advisory on how to reduce cell phone exposure be disseminated to students and staff.
- Webinars on reducing RF exposure.

## CANADA TEACHER FEDERATION

- Briefing document "Wi-Fi in School" recommends limiting Wi-Fi.

## UNITED TEACHERS OF LOS ANGELES

- 2013 Resolution "UTLA will advocate for technological solutions that maintain technology upgrades while not increasing employees exposure to electromagnetic radiation."

## UNITED FEDERATION OF TEACHERS

- Website shares Dr. Moskowitz's "Reducing Exposure to Wireless" brochure and The BabySafe Project "What You Need to Know About Wireless Radiation and Your Baby."

## ELEMENTARY TEACHERS FEDERATION OF ONTARIO

- Call for Wi-Fi moratorium until health studies done (Limestone).

## BC TEACHERS FEDERATION

- Resolution supporting members suffering from electromagnetic hypersensitivity by ensuring that their medical needs are accommodated in the workplace.

## NEW JERSEY EDUCATIONAL ASSOCIATION

- Recommendations in "Minimize health risks from electronic devices" detail how to reduce physical health risks from devices including wireless radiation.

## ONTARIO ENGLISH CATHOLIC TEACHERS

- Position Statement recommends wired networks as WI-FI "may present a potential health and safety risk or hazard in the workplace."

## GREATER VICTORIA TEACHERS ASSOCIATION

- Recommends minimal or non-use of Wi-Fi.

## NEW YORK STATE UNITED TEACHER UNION

- Resolution "Hazards of Wireless Radiation Emission" and "Best Practices" recommend wired ethernet connections.
- Webinar "Risks of wireless technologies and protecting children and staff in schools."

## AMERICAN FEDERATION OF TEACHERS

- National Conference presentation about wireless radiation posted online.

## NEW JERSEY EDUCATIONAL ASSOCIATION

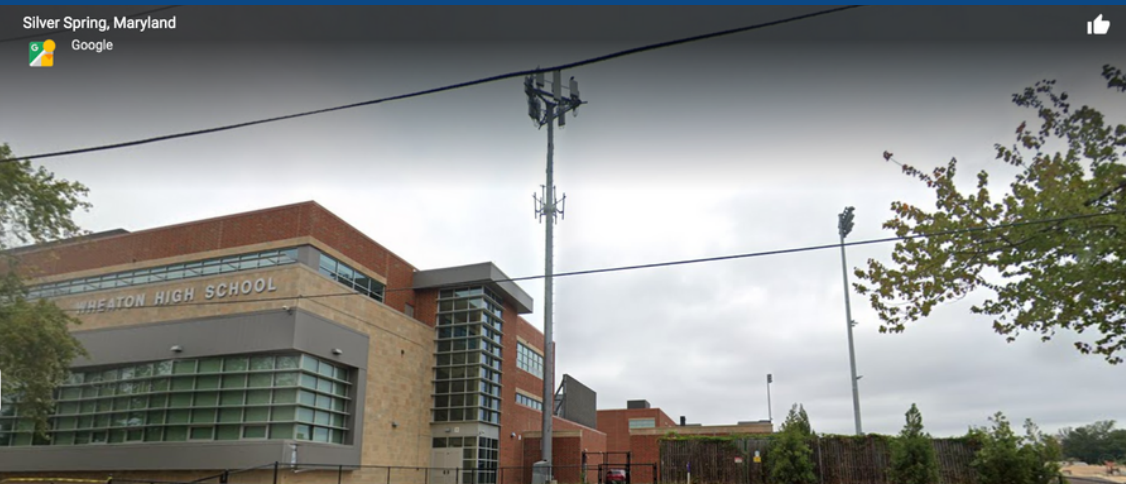
- Put devices on desks, not laps.
- Hard wire all devices that connect to the internet.
- Hard wire all fixed devices such as printers, projectors and boards.
- Use hard-wired phones instead of cell or cordless phones.
- Put devices in airplane mode, which suspends EMF transmission in the device, disabling Bluetooth, GPS, phone calls, and WiFi.

"All educational facilities must have healthy indoor air quality, be smoke-free, be safe from environmental and chemical hazards, and be safe from hazardous electromagnetic fields."  
— National Education Association

"Students and/or their parents/guardians, education employees, and the public should be notified of actual and potential hazards."  
— National Education Association  
2013-2014, C-19



# PARENT TEACHER ASSOCIATIONS OPPOSE CELL TOWERS



## CONEJO PTA WANTS CELL TOWER MOVED Op-ed in Thousand Oaks Acorn Journal

The California PTA advocates on behalf of children and families. They advocate against electromagnetic field radiation your schools.

The Conejo PTA urges the use of the precautionary principle in making decisions regarding public health this means if something cannot be proven to be safe it is best to avoid exposure. Most people don't realize that the 1996 FCC state standards for safe levels of omission was actually based on a level set by the American national standards institute in 1982. Well this standard has not been changed in 30 years it has usurped all local authority."

"For this reason, Conejo Council PTA made up of 9000 parents and teachers has decided to take action. We're calling on our local leaders to put in place policies that would ensure parents are notified when cell towers are propose near schools and then encourage a buffer zone around schools."

-Kim Huber, legislative chair of the Conejo Council PTA.

## NEW YORK STATE PTA -Adopted TWO Resolutions 2014

"CELLULAR PHONE TOWERS – 2014 (R-'07, R-'00); Resolved that the New York State Congress of Parents and Teachers, Inc. support legislation that would encourage local communities, including parents and school officials, to regulate the placement of cell towers and cell tower antennas particularly in schools and areas where children congregate,

and be it further Resolved that the New York State PTA support continued research into the long-term effects of radio frequency and microwave frequencies on humans especially as they apply to children, and be it further Resolved that the New York State PTA seek to educate parents and school officials as to the current debate over the placement of cell towers and antennas."

### NEELSVILLE MIDDLE SCHOOL PTA (MD)

- Voted to oppose proposed cell tower.
- Hosted parent information session with both the cell tower company and Environmental Health Trust.

### HILLSMERE ELEMENTARY SCHOOL PTA (MD)

- Sent letters to the school board in opposition to cell towers near the school.

### BRIARLAKE ELEMENTARY (GA)

- Voted to oppose cell tower after board approved towers on schools.

### PACIFIC GROVE (CA) PTAs

- Forest Grove Elementary Pacific Grove Middle School and Pacific Grove High School PTAs sent a letter to City Council opposing a high school cell tower.

# PARENT TEACHER ASSOCIATIONS OPPOSE CELL TOWERS

Agenda No. 11A, Attachment B  
Exhibit A Page 46 of 186

August 6, 2018

Pacific Grove City Council  
City Hall  
300 Forest Ave.  
Pacific Grove, CA 93950

Dear members of Pacific Grove City Council,

I am writing you on behalf of Pacific Grove High School PTA in regard to the Pacific Grove Planning Commission's vote on July 26, 2018, which approved a request by Verizon Wireless to install and maintain a cell tower adjacent to Pacific Grove High School (PGHS). For the reasons described below, the Pacific Grove High School PTA **is strongly opposed** to the location of the Verizon cell tower and is requesting that the City Council consider and support the appeal that is being filed by a group of concerned parents who live in Pacific Grove and send their children to PG schools.

The installment of a cell tower adjacent to PGHS poses significant potential health dangers to both students and staff at PGHS. While some argue that radiation emitted from a cell tower is not a health danger, data from many studies indicate the opposite. Research shows that children and pregnant women are the most vulnerable – two demographics most likely to be on PGHS school grounds on a regular basis. The actual placement of the cell tower – near the back of PGHS and very close to Forest Grove Elementary School – only increases the concerns of the frequency in exposure.

Cell towers also pose a risk to students due to fire hazard. Many cell towers throughout the United States have caught fire and collapsed, posing a significant safety concern, especially in an area with young students walking to and from school every day.

The mission of all PTAs nationwide is to make every child's potential a reality by engaging and empowering families and communities to advocate for all children. Our local PTA is very active in expressing our support for or opposition to issues dealing with the health, safety, education, or general well-being of children and youth in our community.

The members of the Pacific Grove High School PTA strongly urge you to please reconsider the Pacific Grove Planning Commission's previous vote and rescind approval for the Verizon cell tower at Pacific Grove High School.

Sincerely,

Julie Kavanaugh  
President, Pacific Grove High School PTA



# CELL TOWER RF RADIATION AND CANCER

## International Agency for Research on Cancer



World Health  
Organization

PRESS RELEASE  
N° 208

31 May 2011

### IARC CLASSIFIES RADIOFREQUENCY ELECTROMAGNETIC FIELDS AS POSSIBLY CARCINOGENIC TO HUMANS

Lyon, France, May 31, 2011 -- The WHO/International Agency for Research on Cancer (IARC) has classified radiofrequency electromagnetic fields as possibly carcinogenic to humans (Group 2B), based on an increased risk for glioma, a malignant type of brain cancer<sup>1</sup>, associated with wireless phone use.

### The World Health Organization International Agency for Research on Cancer Classified Radiofrequency Radiation as a "Possible" Carcinogen in 2011

In 2011, radiofrequency electromagnetic fields (RF-EMF) were classified as a Group 2B possible carcinogen by the World Health Organization's International Agency for Research on Cancer (WHO/IARC).

The WHO/IARC scientists clarified that this determination was for RF-EMF from any source be it cell phones, wireless devices, cell towers or any other type of wireless equipment.

Since 2011, the published peer-reviewed scientific evidence associating RF-EMF (also known as RF-EMR and RFR) to cancer and other adverse effects has significantly increased.

A large-scale animal study published in Environmental Research found rats exposed to RF levels comparable to cell tower emissions had elevated cancers, the very same cancers also found in the US National Toxicology Program animal study of cell phone level RF that found "clear evidence" of cancer in carefully controlled conditions (Falcioni 2018).

In 2019, the WHO/IARC advisory committee recommended that radiofrequency radiation be re-evaluated as a "high" priority in light of the new research. The date of the re-evaluation has not been set.

Currently, several scientists conclude that the weight of currently available, peer-reviewed evidence supports the conclusion that radiofrequency radiation is a proven human carcinogen (Hardell and Carlberg 2017, Peleg et al. 2022, Miller et al. 2018).

# SCIENTIFIC RESEARCH STUDIES



European Parliament requested a research report "[Health Impact of 5G](#)" which was released in July 2021 and concluded that commonly used RFR frequencies (450 to 6000 MHz) are probably carcinogenic for humans and clearly affect male fertility with possible adverse effects on the development of embryos, fetuses and newborns.

A review entitled "[Evidence for a health risk by RF on humans living around mobile phone base stations: From radiofrequency sickness to cancer](#)" reviewed the existing scientific literature and found radiofrequency sickness, cancer and changes in biochemical parameters ([Balmori 2022](#)).

A [study](#) published in Electromagnetic Biology and Medicine found changes in blood considered biomarkers predictive of cancer in people living closer to cell antenna arrays ([Zothansiana 2017](#)).

A [study](#) published in the International Journal of Environmental Research and Public Health found higher exposure to cell network arrays linked to higher mortality from all cancer and specifically lung and breast cancer ([Rodrigues 2021](#)).

A 10-year [study](#) published in Science of the Total Environment on cell phone network antennas by the local Municipal Health Department and several universities in Brazil found a clearly elevated relative risk of cancer mortality at residential distances of 500 meters or less from cell phone towers ([Dode 2011](#)).

A [study](#) commissioned by the Government of Styria, Austria found a significant cancer incidence in the area around the RF transmitter as well as significant exposure-effect relationships between radiofrequency radiation exposure and the incidence of breast cancers and brain tumors ([Oberfeld 2008](#)).

A [review](#) published in Experimental Oncology found "alarming epidemiological and experimental data on possible carcinogenic effects of long term exposure to low intensity microwave (MW) radiation." A year of operation of a powerful base transmitting station for mobile communication reportedly resulted in a dramatic increase of cancer incidence among the population living nearby ([Yakymenko 2011](#)).





# WORLDWIDE POLICY

# 5G & CELL TOWERS



## EUROPE

- Resolutions to halt 5G in numerous European cities including Trafford, UK, Lille, France, Ormidia, Cyprus, Councils in Ireland and more.

## ITALY

- 600 municipalities have passed resolution to halt 5G.

## UNITED STATES

- Los Angeles CA Public Schools: RFR Limit 10,000x less than FCC.
- Resolutions to halt 5G passed in Hawaii County HI, Farragut TN, Keene NH & Easton CT.
- Numerous cities restrict cell antennas near homes including: Los Altos, Petaluma, Mill Valley, Malibu and San Diego County CA, Bedford NH and more.
- New Hampshire 5G Commission's 15 Recommendations include increasing transparency, reduce public exposure, research health effects and protect wildlife and trees.
- Oregon investigating health effects of wireless.
- Palo Alto, Los Angeles LA Schools Greenbelt MD, Bar Harbor ME; No school cell towers

## CHILE

- Cell antennas prohibited in "sensitive areas" - kindergartens, hospitals and nursing homes.

## BANGLADESH

- No cell towers on homes, schools, colleges, playing fields, populated areas and heritage areas.

## FRANCE

- 60 mayors/officials petition to halt 5G.
- Federal health agency investigating 5G
- 5G antenna RFR is measured.

## SWITZERLAND

- Parliament refused to weaken radio frequency radiation (RFR) limits after 5G Report.

## NETHERLANDS

- Health Council recommends against 26 GHz for 5G due to lack of safety data.

## RUSSIA

- No cell towers near schools.

## ISRAEL

- Cell tower setback 100m from schools/ homes.

## CANADA

- City of Toronto "Prudent Avoidance Policy" for Cell Towers.

## BULGARIA

- Mezdra and Balchik have banned 5G.

## GREECE

- The installation of cell towers at the premises of schools, kindergartens, hospitals or eldercare facilities is prohibited.

## CYPRUS

- Cyprus National Committee on Environment and Child Health 5G Position Paper calls for 5G free zones.

## AUSTRALIA

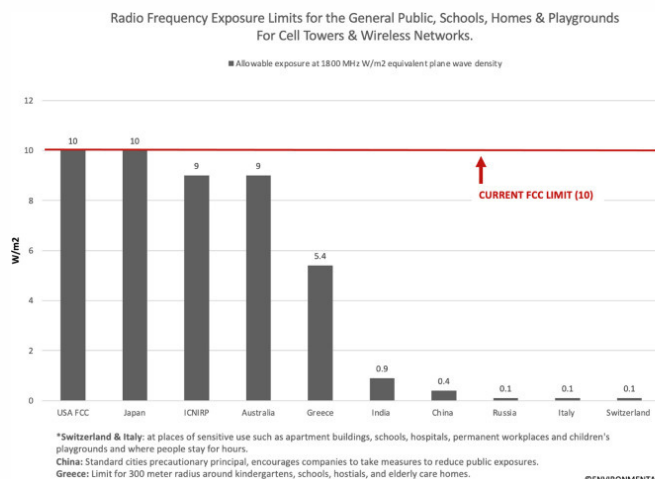
- New South Wales Dept. of Education policy objects to towers on/near schools.

## LITHUANIA

- Cell antennas prohibited on kindergartens and hospitals.

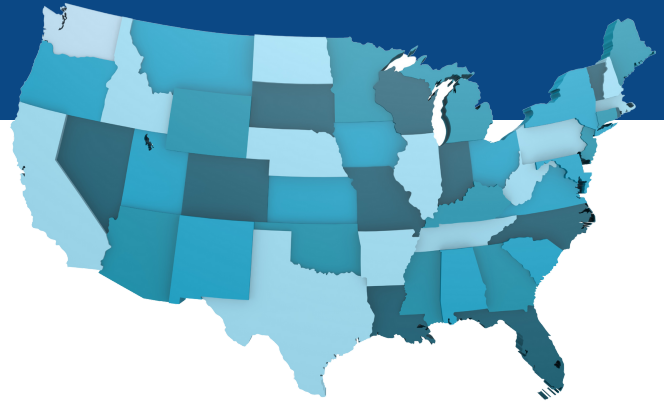
## INDIA

- RFR limit tightened to 1/10 of CNIRP limits after Inter-Ministerial Report on impacts to wildlife.
- Mumbai, Zilla Parishad & Karnataka: Cell towers prohibited/removed near schools, colleges, orphanages and old age homes.
- Brihanmumbai Municipal: Cell towers banned at parks and playgrounds.
- State of Rajasthan: Supreme Court of India upheld removal of "hazardous to life" cell towers from vicinity of schools, hospitals/playgrounds.



# UNITED STATES OF AMERICA

# 5G & CELL TOWERS



## CALIFORNIA

Numerous CA cities restrict cell antennas near homes with setbacks and strict ordinances including: Los Altos, Petaluma, Mill Valley, Malibu, Santa Barbara, Nevada City, Suisin, Calabasas, San Clemente, Westlake, Sonoma, Sebastopol, San Rafael, Ross Valley, Encinitas, Fairfax, Palo Alto, Walnut City and San Diego County.

As an example of CA ordinances, the Los Altos City ordinance:

- prohibits installation of small cells on public utility easements in residential neighborhoods
- 500 foot setbacks for small cells for multi-family residences in commercial districts
- 500 ft separation from schools
- 1500 ft separation between nodes

San Diego County, California

- "SCWs shall not be located within 1,000 feet of schools, child care centers, hospitals, or churches."

## CONNECTICUT

- Easton CN City Council passed a 5G cease and desist resolution
- Warren, Connecticut Policy defines "adequate coverage" and "adequate capacity," and was designed "to locate towers and/or antennas in a manner which protects property values, as well as the general safety, health, welfare and quality of life of the citizens." Coverage is considered to be "adequate" within that area surrounding a Base Station where the predicted or measured median field strength of the transmitted signal is such that the majority of the time, transceivers properly installed and operated will be able to communicate with the base station.

## FLORIDA

- Coconut Creek FL Commission adopted a Resolution on 5G and radiofrequency radiation.
- Hallandale Beach FL Resolution urges the federal government to initiate independent health studies on 5G.
- Lavallette FL Resolution 2021-58: Applicant shall obtain certification from the Federal Aviation Administration and the United States Dept. of Defense demonstrating that the installation does not emit RF frequencies which may interfere with avionics of any approaching civil or military aircraft." The City also requires the applicant to provide RF meters used by their technicians and train City employees. Verizon cannot install more than a total of 20 "small cell" nodes throughout the Borough to support 5G.

## HAWAII

- Hawai'i County Council passed a Resolution to halt 5G

## ILLINOIS

- Oak Brook IL Resolution calls for local control re small cells.

## INDIANA

Carmel City IN Council resolution asks state lawmakers, FCC and Congress to limit 5G until health effects fully understood.

## MASSACHUSETTS

Randolph MA 500 ft setback. Yearly RFR measurements. Lunenburg and Great Barrington MA 500 ft setback Stockbridge MA prohibits a tower from being built 1000 feet from a school, park or athletic field and 600 ft from residence.

## NEW JERSEY

- Little Silver, NJ Carriers should provide notice to property owners within 500 feet of proposed facility.

## NEW YORK

- Scarsdale NY: 500 foot setbacks to homes preferred.
- Copake NY: Pre/post testing by RF engineer. No repeater closer than 200 ft to dwelling. No tower closer than 1500 ft to residence/church.
- Community Boards issuing Moratoriums on 5G poles

## NEW HAMPSHIRE

- Proposed State Bill - 1640 ft setbacks.
- Keene NH Resolution to halt 5G
- Bedford NH 750 ft. setback

## OHIO

- Mason OH Zoning Ordinance No small cells in residential areas or within 100 feet of residential prop; 2000 feet apart (unless colocated); equipment should be underground or wholly contained.

## OKLAHOMA

- Sallisaw OK 1,500 feet setback

## TENNESSEE

- Farragut City Resolution to halt 5G

## WISCONSIN

- Greendale WI passed Resolution R2018-20 referring to the FCC's actions stripping local authority as "an unprecedented attack on local control."



# PUBLISHED RESEARCH STUDIES

## OUTDOOR LEVELS OF RF ARE INCREASING DUE TO THE DENSIFICATION OF WIRELESS NETWORKS

An [article](#) published in *The Lancet Planetary Health* documents how RF exposures are increasing and so is the scientific research linking exposure to adverse biological effects. ["It is plausibly the most rapidly increasing anthropogenic environmental exposure since the mid-20th century..."](#)

A [2021 report](#) by the French government on 5G analyzed more than 3,000 measurements and found that while RF levels had *not yet* significantly increased, this was due to the lack of 5G traffic. Additional study specific to 5G in the 3500 MHz band with artificially generated traffic concluded that, "initial results suggest an eventual increase of about 20% in overall exposure."

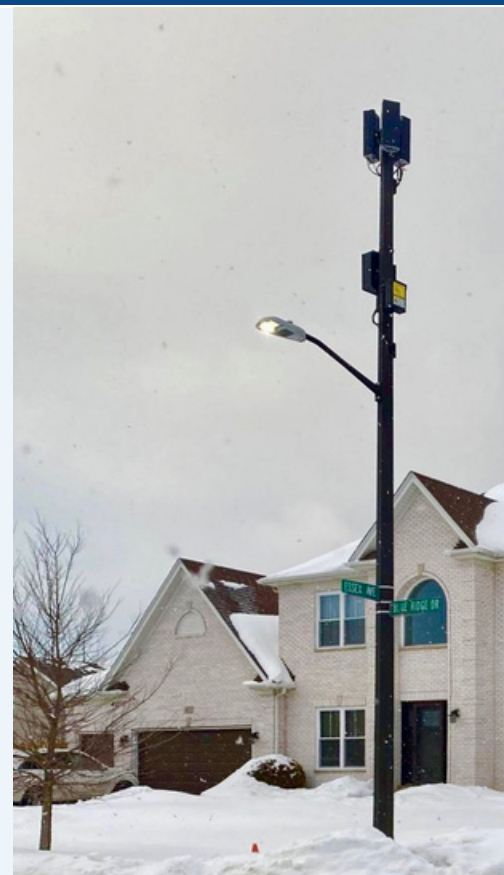
A [2018 multi-country study](#) published in *Environment International* measured RF in several countries and found cell tower/base station radiation to be the dominant contributor to RF exposure in most outdoor areas. Urban areas had higher RF.

A [study](#) measuring RF exposure in the European cities of Basel, Ghent and Brussels found the total RF exposure levels in outdoor locations had increased up to 57.1% in one year (April 2011 to March 2012) and most notably due to mobile phone base stations.

A [2018 study](#) published in *Oncology Letters* documented "unnecessarily high" RF levels in several locations in Sweden and concludes that "using high-power levels causes an excess health risk to many people."

A [2017 Swedish](#) study of Royal Castle, Supreme Court, three major squares and the Swedish Parliament found that despite the architecturally camouflaged RF-emitting antennas, the passive exposure was higher than RF levels associated with non-thermal biological effects. The researchers noted that the heaviest RF load falls on people working or living near hotspots.

A [2016 study](#) at Stockholm Central Railway Station in Sweden documented higher RF levels in areas where base station antennas were located closest to people. Importantly, the RF from the downlink of UMTS, LTE, GSM base station antennas contributed to most of the radiation levels.



# APARTMENTS & CONDO BUILDINGS

## INCREASED RF RADIATION FROM CELL ANTENNAS



The study "[Radiofrequency radiation from nearby mobile phone base stations-a case comparison of one low and one high exposure apartment](#)" published in *Oncology Letters* by [Koppel et al. \(2019\)](#) measured 2 apartments and found that the apartment with high RF levels had outdoor areas as close as 6 meters (about 19.6 feet) from transmitting base station cell antennas. In contrast, the apartment with low RF exposure had cell antennas at 40 meters (about 131 feet) away from the balcony.

Furthermore, the researchers also found that both high- and low-RF apartments had good mobile phone reception, and they concluded, "therefore, installation of base stations to risky places cannot be justified using the good reception requirement argument."

A measurement study by [Baltrėnas et al. \(2012\)](#) published in *Journal of Environmental Engineering and Landscape Management* investigated RF power density levels from cell phone antennas located 35 meters away from a 10-story apartment building. The transmitting antennas were approximately at the same height as the 6th floor of the building. The researchers found the highest RF levels at floors 5, 6 and 7. The RF at the 6th floor balcony was three times higher than the 3rd floor balcony. The RF power density at the 6th floor was about 15 times the RF measured at the first floor.

A [case report by Hardell et al. \(2017\)](#) of RF levels in an apartment in close proximity to rooftop cellular network antennas used an exposimeter to measure levels of different types of RF in the apartment and balconies including TV, FM, TETRA emergency services, 2G GSM, 3G UMTS, 4G LTE, DECT cordless, Wi-Fi 2.4 GHz and 5 GHz and WiMAX. The closest transmitting antennas were 6 meters away from the balcony. The researchers found 97.9% of the mean RF radiation was caused by downlink from the 2G, 3G and 4G base stations. (Downlink means frequencies emitted "down" from the base station cellular antennas.) The researchers found that if the base station RF emissions were excluded, the RF radiation in the children's bedrooms was reduced approximately 99%.

The researchers conclude, "due to the current high RF radiation, the apartment is not suitable for long-term living, particularly for children who may be more sensitive than adults."



# INCREASED EXPOSURE FROM 5G/4G "SMALL" CELL ANTENNAS LOCATED CLOSE TO PEOPLE

A study entitled "[Very high radiofrequency radiation at Skeppsbron in Stockholm, Sweden from mobile phone base station antennas positioned close to pedestrians' heads](#)" published in *Environmental Research* by Koppel et al. (2022) created an RF heat map of RF measurements, finding that the highest RF measurements were in areas of close proximity to the base station antennas. The researchers concluded with recommendations to reduce close proximity placements such as positioning antennas "as far as possible from the general public" like in high-elevation locations or more remote areas.

A study entitled "[Measurements of radiofrequency electromagnetic fields, including 5G, in the city of Columbia, South Carolina, USA](#)" published in the *World Academy of Sciences Journal* found the highest RF levels in areas where the cell phone base station antennas were placed on top of utility poles, street lamps, traffic lights or other posts near to the street. The scientists compared their [2022 findings](#) to an earlier [2019 published review](#) on the mean outdoor exposure level of European cities and they found the South Carolina measurements to be higher.

The researchers concluded that the highest exposure areas were due to two reasons: cell phone base antennas on top of high-rise buildings provide "good cell coverage reaching far away, but creating elevated exposure to the radiofrequency electromagnetic fields at the immediate vicinity; and cell phone base station antennas installed on top of utility poles have placed the radiation source closer to humans walking on street level."



Figure 7. Gervais Street: Cell phone base station antenna placed close to street level and causing high exposure to pedestrians and nearby café visitors (exposure scenario illustration). The antenna appears camouflaged and seemingly part of a utility pole. The measurer only discovered the antenna due to the high radiofrequency levels in the vicinity.



# HEALTH SYMPTOMS REPORTED BY PEOPLE LIVING CLOSE TO CELL ANTENNAS

Image: Figure 1: Top floor apartment adjacent to base stations. Nilsson M, Hardell L. (2023) Development of the Microwave Syndrome in Two Men Shortly after Installation of 5G on the Roof above their Office. Ann Clin Case Rep



## RESEARCH ON ANTENNAS CLOSE TO HOMES, SCHOOL AND WORK

Surveys of people living near cell tower antennas in [France](#), [Spain](#), [Iraq](#), [India](#), [Germany](#), [Egypt](#), [Poland](#) have found significantly higher reports of health issues including sleep issues, fatigue and headaches (See [Santini et al. 2003](#), [López 2021](#), [Alazawi 2011](#), [Pachua and Pachua 2016](#), [Eger et al. 2004](#), [Abdel-Rassoul et al. 2007](#), [Bortkiewicz et al., 2004](#)).

A [study](#) published in *American Journal of Men's Health* linked higher cell tower RFR exposures to delayed fine and gross motor skills and to deficits in spatial working memory and attention in school adolescents ([Meo 2018](#)).

A [study](#) published in *Environmental Research and Public Health* found higher exposures linked to higher risk of type 2 diabetes ([Meo 2015](#)).

A study following people for 6 years linked increased cell phone and cell phone tower antenna exposure to altered levels of hormones including cortisol, thyroid, prolactin and testosterone ([Eskander et al. 2021](#)).

A [study](#) that followed people in a German town after a cell tower was erected found stress hormones adrenaline and noradrenaline significantly increased over the first 6 months after the antenna activation and decreased dopamine and PEA levels after 18 months ([Buchner 2011](#)).

Two published case report document illness that developed after 5G antennas were installed. In [Hardell and Nilsson 2023](#), a couple developed microwave syndrome symptoms (e.g., neurological symptoms, tinnitus, fatigue, insomnia, emotional distress, skin disorders, and blood pressure variability) after a 5G base station was installed on the roof above their apartment.

Similarly, in "[Development of the Microwave Syndrome in Two Men Shortly after Installation of 5G on the Roof above their Office](#)" two men developed symptoms after 5G antennas were activated on the roof of their workplace. The symptoms disappeared in both men within a couple of weeks (case 1) or immediately (case 2) after leaving the office.

# PUBLISHED RESEARCH ON 5G



New York City Jumbo 5G poles with 5 tiers to house transmitting antennas from numerous carriers.



New York City "small cell" antennas in front of living room window.

**Scientists state that 5G's higher frequencies cannot be assumed safe.**

5G systems are using low band frequencies well associated with harmful effects ([ICBE-EMF 2022](#), [European Parliament 2021](#), [Panagopoulos et al. 2021](#)). However 5G networks are *also using higher frequencies* such as 3.5 GHz and into the mmWave range with 24 GHz and higher.

Contrary to claims that the 5G's higher frequencies simply "bounce" off the skin, researchers have documented that the coiled portion of the skin's sweat duct can be regarded as a helical antenna in the sub-THz band and the skin, our largest organ, can intensely absorb the higher 5G frequencies ([Feldman and Ben Ishai 2017](#)).

Reviews of 5G health effects caution that the expected real-world impact would be far more serious due to the complex waveforms and other combinations with other toxic stimuli in the environment ([Kostoff et al 2020](#), [Russell, 2018](#), [Belyaev 2019](#), [McCredden et al 2023](#)).

Researchers will often experiment with zebrafish, rodents and fruit flies to gain data on potential health effects to humans. An Oregon State University study on zebrafish exposed to 3.5 GHz ([Dasgupta et al. 2022](#)) found "significant abnormal responses in RFR-exposed fish" which "suggest potential long-term behavioral effects. Yang et al 2022 found 3.5 GHZ induced oxidative stress in guinea pigs.

A study on 3.5 GHz exposure to both diabetic and healthy rats ([Bektas et al 2022](#)) found an increase in degenerated neurons in the hippocampus of the brains, changes in oxidative stress parameters and changes in the energy metabolism and appetite of both healthy and diabetic rats. The researchers conclude that, "5G may not be innocent in terms of its biological effects, especially in the presence of diabetes."



# PUBLISHED RESEARCH ON 5G



5G's higher frequencies will be combined with the lower frequencies from current networks already present in the environment.

Studies on rats have found exposure to both 1.5 and 4.3 GHz microwaves induced: cognitive impairment and hippocampal tissue damage ([Zhu et al 2021](#)); impairments in spatial learning and memory, *with the combined simultaneous exposures* resulting in the most most severe effects ([Wang et al 2022](#)); and immune suppressive responses ([Zhao 2022](#)).

Long-term exposure to 2.856 and 9.375 GHz microwaves impaired learning and memory abilities as well as EEG disturbance, structural damage to the hippocampus, and differential expression of hippocampal tissue and serum exosomes ([Wang et al. 2023](#)).

Studies on fruit flies exposed to 3.5 GHz have found the exposure led to increases in oxidative stress, changes in the microbial community ([Wang et al 2022](#)) and alterations of the expression of several types of genes (Wang et al 2021).

A review by [Russell 2018](#) found evidence for millimeter wave effects to the skin, eyes, immune system, gene expression, and bacterial antibiotic resistance.

Recent experimental research on high-band 5G impacts to animal fertility found that 27 GHz damages sperm quality in mussels ([Pecoraro et al 2023](#)).

Yet the US government is not funding any research on biological effects of frequencies at 3.5 GHz or above 6 GHz to humans.



# COURT RULING ON FCC'S LACK OF ADEQUATE REVIEW FOR WIRELESS EXPOSURE LIMITS

## LANDMARK FEDERAL COURT RULING AGAINST THE FCC

On August 13, 2021 the U.S. Court of Appeals for the D.C. Circuit ruled the Federal Communications Commission (FCC) ignored scientific evidence and failed to provide a reasoned explanation for its determination that its 1996 regulations adequately protect the public against all the harmful effects of wireless radiation.

## FCC'S REFUSAL TO UPDATE 1996 LIMITS

The legal case challenged the FCC's 2019 decision not to update its 1996 regulations regarding allowable radiofrequency radiation (RF) exposures from wireless technologies - including 5G, cell phones, cell towers, Wi-Fi, and wireless networks.

## EVIDENCE OF HARMFUL EFFECTS BELOW FCC LIMITS

FCC limits are based on the belief that heating is the only proven harm from RF. Over 11,000 pages of evidence - 447 exhibits in 27 Volumes - was submitted to the Court documenting biological effects and illness from wireless radiation exposure below heating levels. Research has found brain damage, headaches, memory problems, reproduction damage, synergistic effects, nervous system impacts, brain cancer, genetic damage, as well as harm to trees, birds, bees, and wildlife.

## THE COURT FINDINGS

The ruling stated that the FCC's "arbitrary and capricious" decision to maintain their 25 year old exposure limits did not address evidence indicating "non-cancer" harm such as:

- impacts to children
- testimony of persons injured by wireless radiation
- impacts to the developing brain
- impacts to the reproductive system
- impacts to wildlife and the environment

## THE COURT ORDER

The Court ordered the FCC to provide a reasoned determination as to whether the evidence warrants a change to 1996 RF limits especially in regards to:

- children's vulnerability
- long-term exposure
- environmental impacts
- new technological developments and the ubiquity of wireless
- how FCC's cell phone tests only measure heat and allow a space between the phone and body

## TIMELINE

1980s: EPA had robust research program and was tasked to develop RF safety limits by U.S. Science Advisory Board.

1995: EPA presents to FCC on the EPA timeline for its development of human exposure RF limits which would include both thermal effects and non thermal effects.

1996: EPA is fully defunded by Congress amid heavy lobbying for Telecom Act and halts all research on RF.

1996: The FCC adopts RF limits developed by industry-tied groups - based on short term heating - thermal- effects from high power exposures (based on studies of small animals exposed to high RF levels for under an hour).

1999: FDA requests the National Toxicology Program (NTP) study RF because of the lack of safety data on long-term exposure.

2008/2009 Congressional Hearings

2011: Wireless RF classified as a "possible" Class 2B Carcinogen by International Agency for Research on Cancer.

2012: GAO Report recommends rules be reassessed to reflect current use patterns and recent science.

2013-2019: FCC opens record on RF limits - gets over 1000 submissions.

2018: NTP/NIH releases \$30M animal study concluding "clear evidence" of cancer. FDA rejects the findings.

2019: FCC closes record, decides not to update its 1996 wireless RF limits.

2020: Cases filed against FCC.

2021: U.S. Court of Appeals, D.C. Circuit ruled that the FCC decision not to change human exposure limits and regulations was "arbitrary and capricious." FCC ordered to respond.

2021: No FCC response to Court, so EHT and others filed request to refresh record.

*Timeline is hyperlinked to sources.*

# FCC'S LACK OF ADEQUATE REVIEW FOR WIRELESS RADIATION EXPOSURE LIMITS

## FCC Compliance Does Not Ensure Safety

Most of the public assumes that current FCC safety limits for cell phones, cell towers, Wi-Fi, 5G, and wireless networks are based upon an up to date robust review of all relevant research. This assumption of safety is now clearly documented to be erroneous.

## Lack of Oversight by Health and Environmental Agencies

The ruling reveals a lack of accountability with our federal health agencies regarding wireless radiation. The EPA, CDC, NIOSH, and NCI did not submit any reports to the Court, revealing that none of these agencies has reviewed the science on health effects to ensure safety for the public. The U.S. has no pre- market safety testing for health effects, no post-market surveillance, no environmental monitoring, and no meaningful interagency coordination.

## FDA's Dismissal of Harm Deemed Insufficient

The Court states the FCC improperly relied on the FDA's conclusions that RF limits did not need an update. The FDA's submissions were described by the Court as " cursory " and "insufficient." Although the FDA later released a literature review, it was only focused on cell phones, not cell towers, Wi-Fi nor 5G technology. It also was only focused on cancer, further confirming the fact that U.S. agencies have failed to evaluate the myriad of effects documented in scientific studies, such as brain, immune, fertility and endocrine impacts. A U.S. government review of *the full body of recent science* has simply never been done.

***"the Commission's failure to provide a reasoned or even relevant explanation of its position that RF radiation below the current limits does not cause health problems unrelated to cancer renders its explanation as to the effect of RF radiation on children arbitrary and capricious. "***

**— 2021 EHT et al. v. FCC**

## The Court Did Not Agree That "Cell Phones Do Not Cause Cancer"

Contrary to the wireless industry's recent claims, the Court *did not make a scientific determination regarding cancer*. The ruling simply stated that in regards to cancer- the FCC passed the minimum legal requirement for adequate review because it (at least) referenced why the FCC dismissed cancer evidence. The FCC cited the rejections of NIH studies by the FDA and of ICNIRP (a small group with no oversight and whose members have a long history of industry ties).

## Children's Vulnerability and Effects of Long Term Exposure Ignored by the FCC

The Court states the FCC "dismissed" the American Academy of Pediatrics recommendations to strengthen regs and ensure children and pregnant women are protected. The Court found the FCC failed to explain why it ignored research indicating children's developing brains are more sensitive. Children will have a lifetime of exposure, yet the FCC was found to ignore the issue of impacts *from long term exposure*.

## Wildlife Remains Unprotected

FCC's limits were designed in 1996 to protect only humans, not flora or fauna. The Court found that the FCC had "completely failed" to address the "substantive evidence of potential environmental harms" on the record, which included science showing serious impacts to birds, bees, trees, and plants.

PETITIONERS: Environmental Health Trust, Consumers for Safe Cell Phones, Elizabeth Barris, Theodora Scarato, Children's Health Defense, Michelle Hertz, Petra Brokken, Dr. David Carpenter, Dr. Toril Jelter, Dr. Paul Dart, Dr. Ann Lee, Virginia Farver, Jennifer Baran, Paul Stanley M.Ed.

KEY RESOURCES: Court Ruling 8/13/2021, Evidence (11,000 pages), EHT Press Conference

Amicus Briefs

- Amicus of NRDC: Natural Resources Defense Council
- Amicus of Attorney Joe Sandri including declaration of Dr. Linda Birnbaum, former Director of the National Institute of Environmental Health Sciences
- Amicus of Catherine Kleiber
- Amicus of the Building Biology Institute

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