

SHB 1554 - H AMD 280

By Representative Dent

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that even
4 though lead is a widely recognized hazard to human health and to the
5 environment, and leaded motor vehicle gasoline was phased out across
6 the United States decades ago, leaded gasoline remains in widespread
7 use at general aviation airports by piston engine noncommercial
8 aircraft. Recent studies have found elevated levels of lead in the
9 blood of residents, and particularly worryingly in the blood of
10 children residing in general aviation airport communities, for whom
11 lead is especially harmful to their development. There is consensus
12 among the medical and scientific communities that the levels detected
13 in children living around general airports similar to those in
14 Washington are hazardous. The national academies of sciences,
15 engineering, and medicine in 2015 concluded that lead "is a well-
16 known air pollutant that can lead to a variety of adverse health
17 impacts, including neurological effects in children that lead to
18 behavioral problems, learning deficits, and lowered IQ."

19 (2) The United States environmental protection agency has
20 recently taken steps towards making an endangerment finding that may
21 eventually lead, through a complex federal regulatory process
22 involving the United States federal aviation administration, to the
23 elimination of lead from aviation gasoline. That unfolding federal
24 process is too slow to adequately protect those currently living near
25 general aviation airports from the harms of lead.

26 (3) Therefore, it is the intent of the legislature to take steps
27 to mitigate public health and environmental concerns caused by the
28 use of leaded gasoline at airports, and to encourage the federal
29 aviation administration to expedite the transition to the use of
30 unleaded aviation gasoline.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.68

2 RCW to read as follows:

3 (1) The department must carry out an education and outreach
4 campaign targeted to airport operators and pilots of piston-engine
5 aircraft on the topic of lead emissions from piston-engine aircraft
6 and the disposal of fuel samples from sumping aircraft fuel tanks.

7 (2) The department, in coordination with the federal aviation
8 administration and an association representing managers of airports
9 in Washington, must develop a bulletin to send to airport operators.
10 The bulletin must offer best practices to build awareness with
11 airport employees, airport-based pilots, transient pilots, fixed base
12 operators, and other on-airport tenants related to the issue of lead
13 emissions from piston-engine aircraft and the handling of leaded
14 aviation fuel.

15 (3) For purposes of subsections (1) and (2) of this section, the
16 department may rely upon primers, guides, tools, and resources
17 developed for airports or aircraft operators under the eliminate
18 aviation gasoline lead emissions initiative.

19 (4) The department must develop and communicate to the federal
20 aviation administration a written recommendation to amend their
21 advisory circular on airport master plans to include evaluation of
22 aircraft runup area locations to limit exposure to the public from
23 piston-engine aircraft, with consideration of the 2021 consensus
24 study report from the national academies of sciences, engineering,
25 and medicine entitled "*Options for Removing Lead Emissions from*
26 *Piston-Engine Aircraft.*"

27 (5) (a) The department must submit a formal request to the federal
28 aviation administration for the prioritization of efforts to
29 accelerate the work of the initiative to eliminate aviation gasoline
30 lead emissions as part of the federal aviation administration's
31 request in the congressional reauthorization act process pertaining
32 to the federal aviation administration.

33 (b) The department must cooperate with and participate in
34 aviation trade associations, including trade associations for state
35 aviation officials and airport executive associations, for the
36 purpose of advocating for the acceleration of the initiative to
37 eliminate aviation gasoline lead emissions as part of those
38 organizations' respective legislative priorities for congressional
39 reauthorization acts pertaining to the federal aviation
40 administration.

1 (6) The department, in consultation with representatives of
2 airport operators, fixed-base operators, and at least one national
3 association representing general aviation pilots, one national
4 association representing business aviation, and the Washington
5 aviation and aerospace advisory committee must submit recommendations
6 to the appropriate committees of the legislature by December 8, 2023,
7 on:

8 (a) Financial incentives including, but not limited to, grants,
9 taxes, aircraft registration fees, other fees, and leasehold excise
10 tax reductions, to be provided by the state for leaded aviation fuel
11 reduction; and

12 (b) Management strategies for airport operators and fixed-base
13 operators, limited fixed-base operators, and businesses operating
14 piston-engine aircraft to pursue programs and projects to acquire
15 equipment, build facilities, or implement operational programs with
16 the goal of reducing emissions from piston-engine aircraft that use
17 leaded aviation fuels.

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.70
19 RCW to read as follows:

20 The department must update its blood lead testing guidance for
21 health care providers related to children living near airports at
22 which aviation gasoline is used. The update must include children at
23 risk of lead exposure due to airport operations among the high-risk
24 populations broadly recommended for a blood lead test, without
25 respect to the clinical judgment of the health care provider. For
26 purposes of determining which children are at highest risk of lead
27 exposure due to airport operations, the department must consider
28 including children living, attending day care, preschool, or school
29 within one kilometer of a general aviation airport, among other
30 populations. The department must conduct outreach with and provide
31 information to health care providers about the guidance.

32 NEW SECTION. **Sec. 4.** If any provision of this act or its
33 application to any person or circumstance is held invalid, the
34 remainder of the act or the application of the provision to other
35 persons or circumstances is not affected.

36 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
37 preservation of the public peace, health, or safety, or support of

1 the state government and its existing public institutions, and takes
2 effect immediately."

3 Correct the title.

EFFECT: Eliminates the directive to the department of transportation to develop lead exposure minimization guidance, for airport operators to implement plans based on that guidance, and for the department of ecology to approve and enforce airport plans. Directs the department of transportation to develop a lead emissions education and outreach campaign for airport operators and pilots, a lead emissions bulletin to send to airport operators, and to take actions to coordinate with and request action from the federal aviation administration with respect to eliminating leaded aviation gasoline. Directs the department of transportation to submit a report to the legislature in December 2023 on financial incentives and management strategies related to reducing lead emissions and reducing use of leaded aviation gas.

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