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**ENGROSSED SUBSTITUTE HOUSE BILL 1554**

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**State of Washington 68th Legislature 2023 Regular Session**

**By** House Environment & Energy (originally sponsored by Representatives Doglio, Pollet, Fitzgibbon, Berry, Ramel, Orwall, Ryu, Fosse, Kloba, Macri, and Duerr)

AN ACT Relating to reducing public health and environmental impacts from lead; adding a new section to chapter 47.68 RCW; adding a new section to chapter 43.70 RCW; creating a new section; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

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

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

NEW SECTION. **Sec.**  A new section is added to chapter 47.68 RCW to read as follows:

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

(2) The department, in coordination with the federal aviation administration and an association representing managers of airports in Washington, must develop a bulletin to send to airport operators. The bulletin must offer best practices to build awareness with communities surrounding general aviation airports at which leaded aviation gasoline is used, with special emphasis on communities overburdened by air pollution as identified by the department of ecology under chapter 70A.02 RCW or chapter 70A.65 RCW, as well as with airport employees, airport-based pilots, transient pilots, fixed base operators, and other on-airport tenants related to the issue of lead emissions from piston-engine aircraft and the handling of leaded aviation fuel.

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

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

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

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

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

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

(b) Management strategies for airport operators and fixed-base operators, limited fixed-base operators, and businesses operating piston-engine aircraft to pursue programs and projects to acquire equipment, build facilities, or implement operational programs with the goal of reducing emissions from piston-engine aircraft that use leaded aviation fuels and reducing public health impacts from lead exposures associated with airport operations.

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

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

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

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

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