

ESHB 1554 - S COMM AMD

By Committee on Environment, Energy & Technology

NOT CONSIDERED 05/17/2023

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

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

20 (2) Though the United States environmental protection agency has
21 recently taken steps towards making an endangerment finding that may
22 eventually lead to the elimination of lead from aviation gasoline,
23 there is interest in what the state can do to reduce exposure while
24 the federal process unfolds.

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

30 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.68
31 RCW to read as follows:

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

5 (2) The department, in coordination with the federal aviation
6 administration and an association representing managers of airports
7 in Washington, must develop a bulletin to send to airport operators.
8 The bulletin must offer best practices to build awareness with
9 communities surrounding airports at which leaded aviation gasoline is
10 used, with special emphasis on communities overburdened by air
11 pollution as identified by the department of ecology under chapter
12 70A.02 RCW or chapter 70A.65 RCW, as well as with airport employees,
13 airport-based pilots, transient pilots, fixed base operators, and
14 other on-airport tenants related to the issue of lead emissions from
15 piston-engine aircraft and the handling of leaded aviation fuel.

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

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

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

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

1 reauthorization acts pertaining to the federal aviation
2 administration.

3 (6) The department, in consultation with representatives of
4 airport operators, fixed-base operators, and at least one national
5 association representing general aviation pilots, one national
6 association representing business aviation, and the Washington
7 aviation and aerospace advisory committee must submit recommendations
8 to the appropriate committees of the legislature by September 15,
9 2024, on:

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

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

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

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

36 NEW SECTION. **Sec. 4.** If any provision of this act or its
37 application to any person or circumstance is held invalid, the

1 remainder of the act or the application of the provision to other
2 persons or circumstances is not affected.

3 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
4 preservation of the public peace, health, or safety, or support of
5 the state government and its existing public institutions, and takes
6 effect immediately."

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7 On page 1, line 2 of the title, after "lead;" strike the
8 remainder of the title and insert "adding a new section to chapter
9 47.68 RCW; adding a new section to chapter 43.70 RCW; creating a new
10 section; and declaring an emergency."

EFFECT: Specifies that the bulletin developed by the department of transportation must offer best practices to build awareness with communities surrounding airports at which leaded aviation gas is used, rather than general aviation airports at which leaded aviation gas is used. Delays the date for the department of transportation to submit recommendations on financial incentives and management strategies to reduce leaded aviation fuel emissions to September 15, 2024. Specifies that the department of health's blood lead testing guidance update relates to exposure due to leaded aviation gas and proximity to operations at airports, and must consider including children living or attending school within one kilometer of an airport that uses leaded fuel, for purposes of determining which children are at highest risk of lead exposure. Makes changes to the intent section.

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