**1554-S.E AMS ENET S2653.1 - NOT FOR FLOOR USE**

**ESHB 1554** - S COMM AMD

By Committee on Environment, Energy & Technology

**NOT CONSIDERED 05/17/2023**

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  (1) The legislature finds that 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. While many in the aviation industry are taking steps to reduce lead exposure from leaded aviation fuels for piston engine aircraft, leaded gasoline remains in widespread use at airports. Recent studies have found elevated levels of lead in the blood of residents, and particularly worryingly in the blood of children residing in areas near airport communities where leaded gasoline is used, 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 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) Though the United States environmental protection agency has recently taken steps towards making an endangerment finding that may eventually lead to the elimination of lead from aviation gasoline, there is interest in what the state can do to reduce exposure while the federal process unfolds.

(3) Therefore, it is the intent of the legislature to take steps to reduce public health and environmental concerns potentially 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 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 September 15, 2024, 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 leaded aviation gasoline is used. The update must include children at risk of lead exposure due to proximity to operations at airports 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 proximity to airports, the department must consider including children living, attending day care, preschool, or school within one kilometer of an airport that uses leaded fuel, 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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On page 1, line 2 of the title, after "lead;" strike the remainder of the title and insert "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."

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.