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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)

READ FIRST TIME 02/16/23.

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

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

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

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

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

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

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

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

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

35 (4) The department must develop and communicate to the federal  
36 aviation administration a written recommendation to amend their  
37 advisory circular on airport master plans to include evaluation of  
38 aircraft runup area locations to limit exposure to the public from  
39 piston-engine aircraft, with consideration of the 2021 consensus

1 study report from the national academies of sciences, engineering,  
2 and medicine entitled "*Options for Removing Lead Emissions from*  
3 *Piston-Engine Aircraft.*"

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

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

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

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

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

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

38 The department must update its blood lead testing guidance for  
39 health care providers related to children living near airports at

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

11 NEW SECTION. **Sec. 4.** If any provision of this act or its  
12 application to any person or circumstance is held invalid, the  
13 remainder of the act or the application of the provision to other  
14 persons or circumstances is not affected.

15 NEW SECTION. **Sec. 5.** This act is necessary for the immediate  
16 preservation of the public peace, health, or safety, or support of  
17 the state government and its existing public institutions, and takes  
18 effect immediately.

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