

From: Brian & Linda Sheets
To: [HTP Exhibits](#)
Subject: Testimony regarding HB 2109
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1. Name of the person submitting the testimony/meeting material: Brian Sheets
2. Name of the organization or county of residence: Washington County
3. Committee name: House Committee on Transportation Policy
4. Committee meeting date: 22 Feb 17
5. Bill number or topic/subject title: HB 2109

Representative Caddy McKeown:

As a pilot and the former Oregon Wing Leader for Angel Flight (representing over 100 charitable aviation pilots), I'd like to address the issues set forth in HB 2109 and its effect on piston aviation as a critical element of Oregon's transportation infrastructure and economy. This bill makes it illegal to use, sell, or possess any form of leaded aviation fuel after January 1, 2022. I would like to suggest that this solves a problem that does not actually exist and, in the process, potentially inflicts punitive financial harm on a population that has no control over the availability of a non-leaded option for aircraft fuel as of that date.

Pilots and the FAA have cooperated from the start to implement a lead free alternative to Avgas, even though Avgas has never been demonstrated to have any significant effect on circulating lead levels in children in Oregon, unlike house paint, for example, which is often a source of elevated lead levels in and around older dwellings. No pilot or aircraft owner will argue that lead is bad and will all agree that we need to eliminate it. The FAA has decreed that an unleaded replacement fuel must be available in 2022, but will fuel companies and refineries step up to provide it? The demand for it should force the market to provide that fuel, but the marketplace can move slowly, so the question becomes "Will it arrive in Oregon tanks for purchase on Jan 1, 2022?"

This bill, by instantly making it illegal to provide or use necessary fuel for craft used in agriculture, pipeline survey, search and rescue, firefighting, emergency services, charitable aviation, and the critical flight training needed to replenish our retiring airline pilot population, as well as the recreational craft that bring millions of dollars to small rural towns across this state, can have a dramatic and unexpected financial impact on many small businesses and rural communities.

In the case of charitable aviation, Oregon pilots have flown over 1,000 missions in the last 15 years, providing free transportation to individuals requiring long-distance medical care. Men, women, and children of all ages have received direct benefit from the services charitable aviation pilots have donated. At a personal cost of \$1,000 per mission, that represents over \$1.0 MIL in donated services for the benefit of Oregon residents. All of that will cease if leaded fuel is banned prior to the availability of an unleaded replacement.

In addition, it will not stop out of state pilots from flying into this state without detection, their tanks filled with leaded fuel, thus harming Oregon taxpayers without really ending the presence of leaded aviation fuel in the state. It will hurt our own citizens unnecessarily and, while lead is never good,

general aviation aircraft's usage of leaded fuel has no significant effect on Oregon residents, according to Oregon's DEQ and other agencies.

A better means of mitigating lead might be to encourage the location of small fuel production facilities in Oregon to produce this fuel -- which is compatible with biofuel production -- thus adding Oregon jobs and making the means to comply with a federal edict close and available. Pilots have embraced the removal of lead from their fuel and the FAA has required they comply. It makes no sense to punish them for the failure of the marketplace to anticipate a demand in a timely fashion.

There is certainly time in the future, if unleaded Avgas is available, to make its sale and possession illegal when the purchase of the leaded product becomes an option. Consideration of HB 2109 is simply premature at this time and I request that this bill be tabled until a replacement fuel is available.

In summary:

- The R/D of unleaded aviation fuel is an ongoing federal process and the FAA is proceeding in a timely fashion; however, this is new science and safety is paramount. There is no existing substitute for tetra-ethyl-lead currently and no absolute date when one will be available.
- GA will be grounded if an FAA approved alternative is not available -- including craft used in interstate commerce, for ag, charitable aviation, search and rescue, as part of the emergency response to the Cascadia event, emergency services, firefighting, wildlife management, flight training, and recreation.
- Lead from avgas has NEVER even reached the federal air quality standard and airborne lead is fifty times lower than the federal standard at the Hillsboro airport -- DEQ's 2016 study.
- Elevated lead levels in children have been traced to lead house paint or glass or toys, NEVER to aviation lead.

Regards.

Brian Sheets