

## **LAWSUIT AGAINST EPA ON AIRCRAFT LEAD EMISSIONS FAILS TO CONSIDER ACTIONS ALREADY UNDERWAY**

March 9, 2012 – Members of the General Aviation (GA) Avgas Coalition say that a lawsuit filed against the Environmental Protection Agency (EPA) by the environmental group Friends of the Earth (FOE) over piston-engine aircraft's use of leaded aviation gasoline (avgas) is not taking into consideration the considerable work already completed toward the development and deployment of an unleaded solution.

The FOE lawsuit alleges that the EPA has unreasonably delayed its response to a 2006 petition asking the agency to make an endangerment finding and propose standards for lead emissions of aircraft. If successful, the lawsuit will force EPA's process for a potential endangerment finding onto a court-ordered timeline.

GA groups deeply involved in mapping out the transition to an unleaded fuel pointed to multiple actions EPA has already taken, in conjunction with industry, to assess and minimize the impact of leaded avgas as it moves to an unleaded alternative.

Since the FOE's 2006 petition was filed, the EPA has issued new rules that increase the stringency of the national ambient air quality standards for lead by tenfold. The new EPA rules also mandate monitoring of lead measurements near selected sources, even though the vast majority of areas with general aviation airports do not exceed the new stringent air quality standards for lead.

Additionally, at the urging of the GA Avgas Coalition, the EPA has been an active participant in the Federal Aviation Administration (FAA) Unleaded Avgas Transition Aviation Rulemaking Committee. That committee is charged with producing recommendations to further the development and deployment of unleaded avgas. In 2010, the EPA also issued an advance notice of proposed rulemaking (ANPR), acknowledging the need to collect more information about the issue and asking for input from the public and industry.

The GA Avgas Coalition also points out that ultimately the FAA, not the EPA, has final regulatory authority over all changes in aviation fuel due to critical safety of flight considerations. Although EPA is charged with establishing aircraft emissions standards, it must consult with the FAA and cannot establish standards that would adversely affect safety. If the EPA does set new lead emissions standards for aircraft, the FAA would have responsibility for implementation and would have to explore the establishment of new fuel specifications.

The coalition maintains that the EPA's efforts represent a reasonable approach to a multi-faceted problem. The agency's actions thus far have already led to significant decreases in lead emissions – as much as 93 percent since 1980, according to EPA's data.

"Despite the lawsuit, the near-term availability of leaded aviation fuel is not threatened in any way," said NATA President and CEO, James K. Coyne. "Members of industry, along with the FAA and EPA, will continue our diligent efforts toward a high-octane unleaded alternative to leaded avgas, with safety of flight as our foremost consideration."

The aviation associations of the GA Avgas Coalition include the Aircraft Owners and Pilots Association (AOPA), Experimental Aircraft Association (EAA), General Aviation Manufacturers Association (GAMA), National Air Transportation Association (NATA), and the National Business Aviation Association (NBAA).