

Multiple Agency Fiscal Note Summary

Bill Number: 1554 S HB	Title: Lead impacts
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Estimated Cash Receipts

NONE

Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Department of Health	.7	275,000	275,000	275,000	.8	306,000	306,000	306,000	.8	306,000	306,000	306,000
Department of Transportation	1.0	0	0	298,000	.5	0	0	142,000	.0	0	0	0
Department of Ecology	1.6	0	0	504,481	1.8	0	0	512,858	1.8	0	0	512,858
Environmental and Land Use Hearings Office	.0	0	0	0	.2	59,513	59,513	59,513	.3	70,458	70,458	70,458
Total \$	3.3	275,000	275,000	1,077,481	3.3	365,513	365,513	1,020,371	2.9	376,458	376,458	889,316

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Department of Health	.0	0	0	.0	0	0	.0	0	0
Department of Transportation	.0	0	0	.0	0	0	.0	0	0
Department of Ecology	.0	0	0	.0	0	0	.0	0	0
Environmental and Land Use Hearings Office	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Total									

Estimated Capital Budget Breakout

Prepared by: Lisa Borkowski, OFM	Phone: (360) 742-2239	Date Published: Final 2/27/2023
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Individual State Agency Fiscal Note

Bill Number: 1554 S HB	Title: Lead impacts	Agency: 303-Department of Health
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.6	0.8	0.7	0.8	0.8
Account					
General Fund-State 001-1	122,000	153,000	275,000	306,000	306,000
Total \$	122,000	153,000	275,000	306,000	306,000

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Michael Hirsch	Phone: 360-786-7195	Date: 02/15/2023
Agency Preparation: Katie Osete	Phone: 3602363000	Date: 02/23/2023
Agency Approval: Stacy May	Phone: (360) 236-4532	Date: 02/23/2023
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 02/24/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

The fiscal impact of this substitute version of the bill has increased from the original bill version. The increase results from; Section 6 Requiring DOH to update the blood lead testing guidance for health care providers to include children living or attending school/daycare near a general aviation airport as high-risk populations broadly recommended for blood lead testing. DOH is also required to provide education and outreach to health care providers about the guidance.

Section 3: Requires the Department of Transportation (DOT) in consultation with the ECY to develop simple guidance that can easily and quickly be implemented by airport operators to minimize public health and environmental exposures to lead associated with airport operations. Requires the guidance document must be based on the 2021 consensus study report of the national academies of sciences. DOT may consult with DOH and local air authorities activated under chapter 70A.15 RCW in the development of guidance.

Section 5: Requires the pertinent air quality regulator to consult with DOT and DOH to provide technical assistance to airports that have not submitted their implementation plans, which are required in Section 4 by November 1, 2024.

Section 6: Requires the DOH to update the blood testing guidance for health care providers related to children living near airports. DOH must consider children living, attending daycare, preschool, or school within one kilometer of a general aviation airport, among other populations. DOH must also conduct outreach and provide information to health care providers about the guidance.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

None

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Section 3: Requires DOT in consultation with ECY and DOH to review available information develop Best Management Practices (BMPs) for reducing public health and environmental exposures to lead associated with airport operations. Initial guidance is due by July 1, 2024, with an updated version due July 1, 2026, and continuing until no facilities are using leaded aviation gas.

DOH assumes the need for:

0.15 FTE [TOX3] for FY 2024 and ongoing, who would:

- Review available information on BMPs to reduce lead emissions from general aviation airports
- Prepare for and attend meetings with other agencies, stakeholders, and the public
- Review and update guidance by July 1, 2026 and ongoing until no facilities have leaded aviation gas

DOH will also require:

0.15 FTE [HSC4] for FY 2024 and ongoing, who would:

- Identify overburdened communities and conduct outreach
- Prepare for and attend meetings with other agencies, stakeholders, and the public
- Review and update guidance for July 1, 2026 and ongoing until no facilities have leaded aviation gas

Section 3 Total Cost:

Fiscal Year (FY) 2024 \$55,000 and 0.30 FTE

Fiscal Year (FY) 2025 \$55,000 and 0.30 FTE and Ongoing

Section 5: Requires ECY to consult with DOH and DOT to provide technical assistance to airports that have not submitted their implementation plans, which are required in Section 4 by Nov 1, 2024.

DOH assumes the need for:

0.50 FTE [TOX3] in FY 25 and ongoing, who would:

- Provide technical assistance to airports until no facilities have leaded aviation gas

Section 5 Total Cost:

Fiscal Year (FY) 2025 \$98,000 and 0.50 FTE

Fiscal Year (FY) 2026 \$98,000 and 0.50 FTE and Ongoing

Section 6: Requires DOH to update our blood lead testing guidance for health care providers to include children living or attending school/daycare near a general aviation airport as high-risk populations broadly recommended for blood lead testing. DOH is also required to provide education and outreach to health care providers about the guidance.

DOH assumes the need for:

0.25 FTE [HSC3] in FY24, who would:

- modify testing guidance document
- support promotional material development
- update website
- perform educational outreach (Newsletters, Articles, Social media posts)
- train providers
- manage PEHSU contract

DOH assumes the need for

- \$24,000 for a contract to develop and promote a 1-hour Continuing Nursing Education (CNE) / Continuing Medical Education (CME) training focused changes to testing guidance.
- \$3,000 for printing of materials

DOH estimates that about 100 hours of a TOX3 will be required to review studies on lead exposure to children living or attending school/daycare near general aviation airports and make recommendations on updating the guidance, such as an appropriate distance, but we are not requesting additional resources for this work.

Section 6 Total Cost:

Fiscal Year (FY) 2024 \$67,000 and 0.30 FTE

Total Combined Costs:

Fiscal Year (FY) 2024 \$122,000 and 0.60 FTE

Fiscal Year (FY) 2025 \$153,000 and 0.80 FTE and Ongoing

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	122,000	153,000	275,000	306,000	306,000
Total \$			122,000	153,000	275,000	306,000	306,000

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.6	0.8	0.7	0.8	0.8
A-Salaries and Wages	49,000	85,000	134,000	170,000	170,000
B-Employee Benefits	17,000	28,000	45,000	56,000	56,000
C-Professional Service Contracts	24,000		24,000		
E-Goods and Other Services	26,000	34,000	60,000	68,000	68,000
J-Capital Outlays	2,000		2,000		
T-Intra-Agency Reimbursements	4,000	6,000	10,000	12,000	12,000
Total \$	122,000	153,000	275,000	306,000	306,000

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
HEALTH SERVICES CONSULTAN 3	75,120	0.3		0.2		
HEALTH SERVICES CONSULTAN 4	82,896	0.2	0.1	0.1	0.1	0.1
TOXICOLOGIST 3	103,572	0.2	0.7	0.4	0.7	0.7
Total FTEs		0.6	0.8	0.7	0.8	0.8

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

None

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: 1554 S HB	Title: Lead impacts	Agency: 405-Department of Transportation
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.0	1.0	1.0	0.5	0.0
Account					
Aeronautics Account-State -1	039 147,000	151,000	298,000	142,000	0
Total \$	147,000	151,000	298,000	142,000	0

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Michael Hirsch	Phone: 360-786-7195	Date: 02/15/2023
Agency Preparation: Terri Palumbo	Phone: 360-709-8096	Date: 02/17/2023
Agency Approval: Eric Johnson	Phone: 360-848-7115	Date: 02/17/2023
OFM Review: Tiffany West	Phone: (360) 890-2653	Date: 02/17/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

See attached WSDOT fiscal note.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
039-1	Aeronautics Account	State	147,000	151,000	298,000	142,000	0
Total \$			147,000	151,000	298,000	142,000	0

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	1.0	1.0	1.0	0.5	
A-Salaries and Wages	100,000	103,000	203,000	103,000	
B-Employee Benefits	35,000	36,000	71,000	36,000	
C-Professional Service Contracts					
E-Goods and Other Services	8,000	8,000	16,000	2,000	
G-Travel	4,000	4,000	8,000	1,000	
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	147,000	151,000	298,000	142,000	0

III. C - Operating FTE Detail: List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Transportation Planning Specialist 4	100,000	1.0	1.0	1.0	0.5	
Total FTEs		1.0	1.0	1.0	0.5	0.0

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Bill Number: SHB1554	Title: Lead impacts	Agency: 405-Department of Transportation
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Part I: Estimates

Check applicable boxes and follow corresponding instructions, use the fiscal template table provided to show fiscal impact by account, object, and program (if necessary), **add rows if needed**. If no fiscal impact, check the box below, skip fiscal template table, and go to Part II to explain briefly, why the program believes there will be no fiscal impact to the department.

- No Fiscal Impact (Explain in section II. A)
If a fiscal note is assigned to our agency, someone believes there might be, and we need to address that, showing why there is no impact to the department.
- Indeterminate Cash Receipts Impact (Explain in section II. B)
- Indeterminate Expenditure Impact (Explain in section II. C)

- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, **complete entire fiscal note form Parts I-V**
- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, **complete entire fiscal note form Parts I-V**
- Capital budget impact, **complete Part IV**
- Requires new rule making, **complete Part V**
- Revised

Dollars in Thousands

Expenditures	FY 2024	FY 2025	FY 2026	FY 2027
039-1-AERONAUTICS	\$147	\$151	\$142	\$0
Total Expenditures	\$147	\$151	\$142	\$0
Biennial Totals	\$298		\$142	
FTEs	FY 2024	FY 2025	FY 2026	FY 2027
Transportation Planning Specialist 4	1.0	1.0	1.0	
Annual Average	1.0		0.5	
Objects of Expenditure	FY 2024	FY 2025	FY 2026	FY 2027
A - SALARIES AND WAGES	\$100	\$103	\$103	\$0
B - EMPLOYEE BENEFITS	\$35	\$36	\$36	\$0
E - GOODS AND SERVICES	\$8	\$8	\$2	\$0
G - TRAVEL	\$4	\$4	\$1	\$0
J - CAPITAL OUTLAYS	\$6	\$4	\$4	\$0
Expenditures by Program	FY 2024	FY 2025	FY 2026	FY 2027
PROGRAM F-OP	\$147	\$151	\$142	\$0

The cash receipts and expenditure estimates on this fiscal template represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Agency Assumptions

N/A

Agency Contacts:

Preparer: Terri Palumbo	Phone: 360-791-3416	Date: 2/17/2023
Approval: Eric Johnson	Phone: 360-708-8970	Date: 2/17/2023
Budget Manager: Stephanie Hardin	Phone: 360-705-7545	Date: 2/17/2023

Individual State Agency Fiscal Note

Part II: Narrative Explanation

II. A - Brief description of what the measure does that has fiscal impact.

Briefly describe by section number (sections that will change WSDOT costs or revenue), the significant provisions of the bill, and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency.

The substitute bill, like the original, has an emergency clause and would take effect immediately after signage. The fiscal note assumes the legislation would be signed at the end of the session (April 2023) and would take effect immediately, although new resources to implement the bill would not be needed until July 1, 2023.

Differences between HB 1554 and SHB 1554:

In the original proposed HB 1554, Department of Ecology (ECY) was the main point-of-contact with airport operators and consulted with Department of Transportation (WSDOT) and Department of Health (DOH) on reducing the exposure to leaded fuel. The revisions in the SHB 1554, added more responsibilities to WSDOT for developing guidance and providing technical support with the airport operators on developing a plan to reduce the exposure of leaded fuel. Also, in the revised bill WSDOT is required to consult with ECY and DOH, instead of ECY being required to consult with WSDOT and ECY.

Section 1 (3): It is the intent of the legislature to take steps to mitigate public health and environmental harms caused using leaded aviation gasoline at airports in Washington (general aviation airports used by piston engine, noncommercial aircraft).

Section 3 (1a): WSDOT, in consultation with ECY, must develop simple guidance (in the form of a document) that can easily and quickly be implemented by airport operators to minimize public health and environmental exposures to lead associated with airport operations. WSDOT may consult with the DOH and local air authorities in the development of guidance under this section.

- **(b):** The WSDOT must publish initial guidance to airport operators by July 1, 2024.
- **(c):** The WSDOT must review the guidance required in (b) of this subsection and publish updated guidance under this section by July 1, 2026, and may periodically update its review and guidance thereafter.

Section 3 (2): WSDOT, in development of the guidelines, must include high-priority actions including multiple topics/requirements to reduce significant lead exposure.

Section 3 (3): In addition to the lead exposure reduction provisions, the WSDOT may include in the initial or updated guidance other high-priority actions which include additional requirements (such as minimize exposures and education).

Section 4: Airport operators must submit a plan to ECY by December 1, 2025, and provide status reports each December 1st thereafter. This plan shall include guidance, standards, and budget to reduce environmental and exposure to leaded fuel.

Section 5 (1): The pertinent air quality regulator, in consultation with the WSDOT and the DOH, must offer technical assistance to airport operators for implementing a plan that is mentioned in section 4.

Section 12: The bill contains an emergency clause and takes effect immediately after enactment.

II. B – Cash Receipts Impact

N/A

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings).

Individual State Agency Fiscal Note

Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

WSDOT Aviation assumes there is a need for a temporary full-time FTE (TPS4) beginning fiscal year 2024 for two to three years to successfully implement the requirements listed in this legislation. The work would include attending meetings with the departments listed as well as subject matter experts in this field; travel to meet with airport sponsors and others; provide technical assistance/guidance; and provide outreach at airport management conferences. This is not workload that can be accommodated by other aviation staff, there are many other aviation initiatives occurring at this time.

If WSDOT is not able to hire a full-time FTE promptly for the 2023-25 biennium, the department will need to explore hiring a consultant to start gathering information due to this bill taking effect immediately and the initial guidance needing to be published by July 1, 2024.

Part III: Expenditure Detail

III. A - Expenditures by Object or Purpose

The 2023-25 biennium estimated cost is \$292,000, then 2025-27 is \$148,000.

- Temporary full-time FTE (TPS 4) cost estimate:
 - (Object A) Salary of approx. \$100,000/year and \$36,000 in (Object B) benefits.
 - FTE cost estimates for salaries and benefits are based on the department's estimates from OFM salary schedules.
 - (Object E and J) Computer, goods & services are \$32,000 for three years.
 - Computer expenditures are standard WSDOT costs for hiring a FTE.
 - The program assumes goods & services will cost more in the 2023-25 biennium because of meeting more frequently with the other agencies and airport operators.
 - (Object G) Travel is \$9,000 for three years.
 - The program assumes the FTE will travel more in the 2023-25 biennium, visiting airports statewide, than in the following biennium.

Part IV: Capital Budget Impact

N/A

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules.

N/A

Individual State Agency Fiscal Note

Bill Number: 1554 S HB	Title: Lead impacts	Agency: 461-Department of Ecology
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	2.2	1.1	1.6	1.8	1.8
Account					
Model Toxics Control Operating Account-State 23P-1	348,031	156,450	504,481	512,858	512,858
Total \$	348,031	156,450	504,481	512,858	512,858

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Michael Hirsch	Phone: 360-786-7195	Date: 02/15/2023
Agency Preparation: Pete Siefer	Phone: 360-485-7648	Date: 02/20/2023
Agency Approval: Erik Fairchild	Phone: 360-407-7005	Date: 02/20/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/22/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Compared to HB 1554, SHB 1554 makes the following changes:

Section 1 removes the intent to phase out the use of leaded aviation gasoline.

Section 3 directs the Department of Transportation (WSDOT), in consultation with the Department of Ecology (Ecology), to develop simple guidance for airport operators to minimize lead exposures, which must identify priority short-term actions for airport operators to implement. The requirement to phase in a prohibition of leaded aviation gasoline is removed.

Section 4 requires airport operators to submit and begin implementing plans by November 1, 2024, or within four months of publication of the guidance, whichever is later. The plans must be submitted to the pertinent air quality regulator and must include a description of how the airport operators ensure users adhere to standards to reduce environmental and public health exposure to lead. It also eliminates the requirement for plans to include unleaded infrastructure at the airport by a certain date, and authorizes airport operators to temporarily suspend implementation of the plan in the event of an emergency.

Section 5 increases the penalty to airport operators to up to \$10,000 per day of continued noncompliance, and authorizes the pertinent air quality regulator to consider proximity to overburdened communities when setting civil penalties.

Section 6 requires the Department of Health (DOH) to update its blood lead testing guidance for children living near airports and to conduct outreach and provide information to healthcare providers about the updated guidance.

Changes to sections 3, 4, and 5 result in a change to the fiscal impact for Ecology.

Currently, leaded gasoline remains in widespread use at general aviation airports by piston engine noncommercial aircraft, while leaded motor vehicle gasoline has been phased out across the United States. The United States Environmental Protection Agency (EPA) has recently taken steps towards making an endangerment finding to address this source of lead pollution.

Currently, under the Washington Clean Air Act, chapter 70A.15 RCW, Ecology and local clean air agencies (LCAAs) have authority to establish, implement, and enforce standards to control and prevent air pollution to protect public health and safety.

The intent of this bill is to take steps to mitigate the public health and environmental harms caused by the use of leaded gasoline at airports, and to expedite the transition to the use of unleaded aviation gasoline.

Section 2 would add the definitions that apply throughout the chapter.

Section 3 would require WSDOT, in consultation with Ecology, to develop simple guidance that can easily and quickly be implemented by airport operations to minimize public health and environmental exposures to lead associated with airport operations. WSDOT would be required to publish initial guidance to airport operators by July 1, 2024. WSDOT would be required to review the guidance and publish updated guidance by July 1, 2026, and periodically after.

Section 4 would require airport operators to submit plans to the pertinent air quality regulator (Ecology or a LCAA) by November 1, 2024, or within four months of the initial publication of guidance (whichever is later), to implement the best management practices. The plan must be updated by November 1 following the publication of updated guidance by

WSDOT. By December 1, 2025, and annually thereafter, airport operators must provide a status report to the pertinent air quality regulator on implementation of the plan. The planning and status report requirements would not apply to airports that do not sell or distribute leaded aviation gasoline.

Section 5 would require the pertinent air quality regulator, in consultation with DOH and WSDOT, to offer technical assistance to airport operators that do not submit or implement plans under section 4. Ecology may adopt rules to implement this section, and local air agencies must enforce the requirements in the bill within their jurisdiction. A civil penalty of up to \$10,000 a day would be established if an airport operator is still in violation 30 days after the offer of technical assistance. Ecology is allowed to consider proximity to an overburdened community when issuing civil penalties.

Section 6 would add a new section to chapter 43.70 RCW to require DOH to update its blood lead testing guidance for health care providers related to children living near airports at which aviation gasoline is used, and would require DOH to conduct outreach to healthcare providers.

Section 7 would add a new chapter to Chapter 70A.15 RCW to require local air agencies to enforce the requirements of this bill in areas within their jurisdiction.

Section 8 specifies that the Pollution Control Hearings Board would have jurisdiction for appeals of civil penalties issued under this bill.

Section 9 states that civil penalties would be subject to requirements in RCW 43.21B.300.

Section 10 would add sections 1 through 5 as a new chapter in Title 70A RCW.

Section 11 includes a severability clause.

Section 12 includes an emergency clause.

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

Section 5 – Penalties

Section 5 would authorize a civil penalty of up to \$10,000 a day if an airport operator is still in violation 30 days after the offer of technical assistance.

Penalties recovered under this statute by Ecology are assumed to be credited to the general fund. No cash receipts to Ecology are estimated as a result of civil penalties. It is assumed it is the intent of the bill to provide for penalties to ensure compliance. Enforcement actions and penalties are assumed to be limited, but unknown, and therefore are not estimated in this fiscal note.

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

The expenditure impact to Ecology under this bill is estimated to be greater than \$50,000 in Fiscal Year (FY) 2024 and ongoing to implement the requirements of sections 3, 4, and 5.

Section 3 – Guidance

Section 3 would require WSDOT, in consultation with Ecology, to develop simple guidance that can easily and quickly be implemented by airport operators to minimize public health and environmental exposures to lead associated with airport operations. WSDOT must publish initial guidance to airport operators by July 1, 2024. WSDOT would be required to update the guidance by July 1, 2026, and periodically thereafter.

Ecology assumes WSDOT would consult with us to develop the guidance. Ecology assumes there would be four 8-hour meetings, three 2-hour stakeholder meetings, and three 2-hour public meetings in FY 2024. Additionally, Ecology assumes 160 hours of staff time to review and provide input on the draft guidance. Ecology assumes updates would occur every two years thereafter.

0.50 FTE Environmental Specialist (ES) 5 in FY 2024 and every other year ongoing– this position would be the technical liaison for the program and would prepare for and attend all relevant meetings, and then review and provide input on the guidance.

0.10 FTE WMS 2 in FY 2024 and every other year– this position would provide direct management involvement and engagement on the guidance required in this bill.

Staff time in Ecology’s Spills Program would also be involved in the implementation of this section.

0.08 FTE EE 5 in FY 2024 and every other year– this position would review and provide input on the draft guidance for preventing spills and releases during refueling, maintenance, storage and disposal. The position would also prepare for and attend relevant meetings.

0.01 FTE WMS 2 in FY 2024 and every other year– this position would provide direct management involvement and engagement on the guidance for preventing spills and releases as required in this bill.

Section 4 – Reporting

Section 4 would require airport operators to submit plans to the pertinent air quality regulator (Ecology or LCAAs) by November 1, 2024, or within four months of the initial publication of guidance (whichever is later), to implement the best management practices. The plan must be updated by November 1st following the publication of updated guidance by WSDOT. By December 1, 2025, and annually thereafter, airport operators must provide a status report to the pertinent air quality regulator on implementation of the plan.

Ecology assumes staff time would be required in order to review the submitted plans and status reports. We also assume that staff time would be required to provide feedback. Resources for this section are based on an estimated 80 airports being located within the counties that are within Ecology’s jurisdiction, and an average of 2.5 days spent reviewing and providing feedback on each report. We also assume IT support would be required to collect the plans and reports submitted for this section. Additional staff time for IT support would be required in the fiscal year leading up to the first required report in order to support the development of the system and do proper testing prior to deployment of the software. With the first report being due November 1, 2024, Ecology assumes that IT staff time would be heaviest in FY 2024 prior to the program’s start date.

0.5 FTE EE 3 in FY 2025, and 0.75 FTE EE 3 in FY 2026 and ongoing – this position would review the submitted plans and status reports, and provide feedback on each.

0.20 FTE IT Business Analyst - Journey in FY 2024 – this position would analyze the business requirements of the needed IT application and document software specifications, do system testing, and conduct user training.

0.20 FTE IT App Development – Journey in FY 2024 and ongoing – this position would develop, deploy and maintain the application.

0.20 FTE IT App Development – Senior Specialist in FY 2024 – this position would oversee the architecture and development process of the application and help with software development and deployment.

0.20 FTE IT System Administration- Journey in FY 2024 – this position would perform database administration, database design, and script execution.

0.20 FTE IT Project Management - Journey in FY 2024 – this position would manage the budget, timeline, and resources for the application project.

0.20 FTE IT App Development – Manager in FY 2024 – this position would manage the personnel assigned to work on the IT application.

Section 5 – Technical Assistance

Section 5 would require the pertinent air quality regulator, in consultation with DOH and WSDOT, to offer technical assistance to airport operators that do not submit or implement plans under section 4. Section 4 would require airport operators to submit plans to the pertinent air quality regulator by November 1, 2024, to implement the best management practices. The plan must be updated by November 1st following the publication of updated guidance by WSDOT. By December 1, 2025, and annually thereafter, airport operators must provide a status report to the pertinent air quality regulator on implementation of the plan. WSDOT would be required to publish updated guidance by July 1, 2026, and we assume updated guidance would be published every two years.

Ecology assumes half of the estimated 80 required entities for which Ecology is the pertinent air quality regulator would not submit reports and would require technical assistance of an average of 12 hours per airport.

0.25 FTE ES 3 in FY 2025 and ongoing– this position would provide technical assistance to airports that do not submit a plan that meets the requirements of this section, or that do not implement the plan submitted to Ecology.

Ecology may adopt rules to implement this section, and local air agencies must enforce the requirements in the bill within their jurisdiction. We assume that the guidance WSDOT issues per the requirements in Section 3 would include a description of how the airport operator will ensure that airport users adhere to the standards established to reduce environmental and public health exposures to lead and that Ecology would not undergo a rulemaking process for this section.

SUMMARY: The expenditure impact to Ecology under this bill is:

GUIDANCE is estimated to require:
FY 2024 and every other year: \$109,736 and 0.8 FTEs.

REPORTING is estimated to require:
FY 2024: \$238,295 and 1.4 FTEs
FY 2025: \$126,822 and 0.8 FTEs.
FY 2026 and ongoing: \$171,933 and 1.1 FTEs

TECHNICAL ASSISTANCE is estimated to require:
FY 2025 and ongoing: \$29,628 and 0.3 FTEs.

THE TOTAL EXPENDITURE IMPACT to Ecology under this bill is estimated to be:
FY 2024: \$348,031 and 2.2 FTEs
FY 2025: \$156,450 and 1.1 FTEs

FY 2026 and every other year ongoing: \$311,297 and 2.2 FTEs
 FY 2027 and every other year ongoing: \$201,561 and 1.4 FTEs.

Notes on costs by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are the agency average of 36% of salaries.

Goods and Services are the agency average of \$5,224 per direct program FTE.

Travel is the agency average of \$1,563 per direct program FTE.

Equipment is the agency average of \$1,031 per direct program FTE.

Agency Administrative Overhead is calculated at the federally approved agency indirect rate of 28.75% of direct program salaries and benefits, and is shown as object 9. Agency Administrative Overhead FTEs are included at 0.15 FTE per direct program FTE, and are identified as Fiscal Analyst 2 and IT App Development - Journey.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
23P-1	Model Toxics Control Operating Account	State	348,031	156,450	504,481	512,858	512,858
Total \$			348,031	156,450	504,481	512,858	512,858

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	2.2	1.1	1.6	1.8	1.8
A-Salaries and Wages	190,347	85,106	275,453	279,123	279,123
B-Employee Benefits	68,523	30,638	99,161	100,483	100,483
E-Goods and Other Services	9,846	4,963	14,809	16,114	16,114
G-Travel	2,948	1,486	4,434	4,822	4,822
J-Capital Outlays	1,942	980	2,922	3,180	3,180
9-Agency Administrative Overhead	74,425	33,277	107,702	109,136	109,136
Total \$	348,031	156,450	504,481	512,858	512,858

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
ENVIRONMENTAL ENGINEER 3	98,592		0.5	0.3	0.8	0.8
ENVIRONMENTAL ENGINEER 5	108,804	0.1		0.0	0.0	0.0
ENVIRONMENTAL SPEC 3	63,216		0.3	0.1	0.3	0.3
ENVIRONMENTAL SPEC 5	80,952	0.5		0.3	0.3	0.3
FISCAL ANALYST 2		0.2	0.1	0.1	0.2	0.2
IT APP DEV-JOURNEY	100,032	0.2	0.2	0.2	0.2	0.2
IT APP DEV-JOURNEY (Admin)		0.1	0.1	0.1	0.1	0.1
IT APP DEV-MANAGER	127,656	0.2		0.1		
IT APP DEV-SR/SPECIALIST	115,824	0.2		0.1		
IT BUSINESS ANALYST-JOURNE'	100,032	0.2		0.1		
IT PROJECT MGMT-JOURNEY	105,060	0.2		0.1		
IT SYSTEM ADMIN-JOURNEY	105,060	0.2		0.1		
WMS BAND 2	100,000	0.1		0.1	0.1	0.1
Total FTEs		2.2	1.1	1.6	1.8	1.8

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

Individual State Agency Fiscal Note

Revised

Bill Number: 1554 S HB	Title: Lead impacts	Agency: 468-Environmental and Land Use Hearings Office
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Part I: Estimates

No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.0	0.0	0.2	0.3
Account					
General Fund-State 001-1	0	0	0	59,513	70,458
Total \$	0	0	0	59,513	70,458

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Michael Hirsch	Phone: 360-786-7195	Date: 02/15/2023
Agency Preparation: Dominga Soliz	Phone: 3606649173	Date: 02/23/2023
Agency Approval: Dominga Soliz	Phone: 3606649173	Date: 02/23/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/23/2023

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.

Revised to correct a typo in Section 5 regarding the amount of penalty.

Section 3 – Requires the Department of Transportation, in consultation with the Department of Ecology, to develop simple guidance for airport operators to minimize public health and environmental exposures to lead associated with airport operations. Guidance to be published by July 1, 2024.

Section 4 - By November 1, 2024, or within four months of guidance publication under section 3, airport operators must submit to the regional air pollution control agency or Department of Ecology a plan and begin to implement best practices to minimize environmental impacts and public health risks associated with leaded aviation gasoline use at general aviation airports. Airport operators must also provide status reports.

Section 5 – Air pollution control agencies formed under chapter 70A.15 RCW and the Department of Ecology will enforce requirements of the act. Violators are subject to penalty up to \$1,000 per day in which restricted fuels were sold, distributed, or supplied. Persons who remain in violation of the requirements of section 4 thirty days after the offer of technical assistance is subject to a civil penalty of up to \$10,000 per day of continued noncompliance.

Section 8 – Amends the Pollution Control Hearings Board’s (PCHB's) jurisdiction statute to include appeals of civil penalties imposed under the act.

Section 9 - Amends the PCHB statute to include civil penalties imposed under the act must be imposed in writing and describe the violation with reasonable particularity

II. B - Cash receipts Impact

Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.

None

II. C - Expenditures

Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.

FISCAL IMPACT to the Pollution Control Hearings Board: YES

ELUHO estimates 3 low complexity appeals per year resulting from this bill.

ELUHO assumes ELUHO’s work on these appeals begins in January 2026 (FY 26) following the enforcement process by the Department of Ecology.

ELUHO estimates each appeal resulting from this bill will require approximately 150 hours of Administrative Appeals Judge (AAJ) work to complete (50 pre-hearing hours + 100 hearing and post-hearing hours) x 3 appeals. This estimate is based on a current analysis of AAJ work.

150 hours/appeal x 3 appeals = 450 AAJ hours per FY, ongoing.

Assume New AAJ FTE: The PCHB will need approximately 0.25 FTE for an AAJ with knowledge of environmental law to assist with these new cases, based on the estimated number of AAJ hours per year. RCW 43.21B.005(2) authorizes the ELUHO director to appoint such AAJs to assist the PCHB. The AAJ 0.25 FTE will not serve as a member of the Boards, but will conduct legal research and writing, mediate cases, draft Board memos and materials, and perform other legal duties to assist the Board.

An AAJ makes \$100,000 per year, plus related benefits estimated at \$32,021 per year, at current benefits rates. The agency needs a 0.25 FTE AAJ, so the salary would be \$100,000 x 0.25 FTE = \$25,000, per FY, ongoing. Related benefits would total \$8,005, per FY, ongoing.

Goods and services are estimated at \$1,875 per year, ongoing, and include communications, payroll processing, training, and other staff costs. Estimates include some travel at the low cost per diem rates totaling \$349 per year, ongoing. Also included is one time equipment costs for furniture and computers totaling \$5,557 in FY 26.

Assume no capital budget impact: Currently, ELUHO leases space on the top floor of the State Parks building, Parsons Plaza. We assume we can repurpose space to include the 0.25 FTE if it has a workstation at the ELUHO office. We assume the 0.25 AAJ FTE would be offered the option of working remotely.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	0	0	59,513	70,458
Total \$			0	0	0	59,513	70,458

III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years				0.2	0.3
A-Salaries and Wages				38,000	50,000
B-Employee Benefits				12,168	16,010
C-Professional Service Contracts					
E-Goods and Other Services				3,257	3,750
G-Travel				531	698
J-Capital Outlays				5,557	
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	0	0	0	59,513	70,458

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Administrative Appeals Judge	100,000				0.2	0.3
Total FTEs					0.2	0.3

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.

NONE

IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

None

Part V: New Rule Making Required

Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.

LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

Bill Number: 1554 S HB

Title: Lead impacts

Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

Legislation Impacts:

- Cities: Cities that operate municipal airports
- Counties: Counties that operate municipal airports
- Special Districts: Municipal Airports
- Specific jurisdictions only:
- Variance occurs due to:

Part II: Estimates

- No fiscal impacts.
- Expenditures represent one-time costs:
- Legislation provides local option:
- Key variables cannot be estimated with certainty at this time: The number of airports that use leaded aviation fuel, and whether or not airports using leaded aviation fuel would be able to comply with the requirements in the bill.

Estimated revenue impacts to:

None

Estimated expenditure impacts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Part III: Preparation and Approval

Fiscal Note Analyst: Chelsea Mickel	Phone: 518-727-3478	Date: 02/20/2023
Leg. Committee Contact: Michael Hirsch	Phone: 360-786-7195	Date: 02/15/2023
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/20/2023
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/22/2023

Part IV: Analysis

A. SUMMARY OF BILL

Description of the bill with an emphasis on how it impacts local government.

CHANGES BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

- Eliminates the restrictions on the sale of leaded aviation gasoline; directs the Department of Transportation (WSDOT) to develop simple guidance that can easily and quickly be implemented by airport operators to minimize lead exposures, with priority given to actions capable of being implemented in the short-term;
- Requires the lead exposure guidance to be based on a 2021 National Academies of Science, Engineering, and Medicine report, rather than requiring a wider analysis of other best practices;
- Requires the guidance to include three specific high priority actions for airport operators to expeditiously implement: (1) increasing the distance between run-up areas and public areas; (2) eliminating cast-off of leaded aviation gasoline; and (3) establishing standardized time limits on airport engine run-up and idling, while making other guidance components discretionary for the WSDOT to include;
- Provides that an airport is not required to begin implementing initial guidance until four months after the WSDOT's guidance is published, if published later than July 1, 2024;
- Requires airport operators that must develop and implement a plan based on the WSDOT's guidance to submit that plan to the Department of Ecology or the activated local air authority, in areas in which one exists;
- Requires airport operator plans related to lead exposure to include a description of how the airport operators ensure users adhere to standards established to reduce environmental and public health exposures to lead;
- Eliminates the requirement that airport operator plans include a plan to include unleaded infrastructure at the airport by a specific date;
- Authorizes an airport operator to temporarily suspend the implementation of the guidance in the event of an emergency;
- Increases the penalty to airport operators to \$10,000 per day of continued noncompliance that takes effect 30 days after an offer of technical assistance by state agencies is made to the airport operator; and
- Requires the Department of Health to update its blood lead testing guidance for children living near airports, but without establishing a specific requirement as to which populations must be screened for blood lead exposure, and to require the Department of Health conduct outreach with and information to healthcare providers about the updated guidance

SUMMARY OF CURRENT BILL:

- Authorizes the Department of Transportation (WSDOT) to develop guidance for reducing lead exposures from airport operations, to be published by July 1, 2024, with periodic updates beginning in 2026.
- Requires airport operators to implement a plan to minimize lead exposures based on the WSDOT's guidance beginning November 1, 2024, or four months after the publication of the WSDOT's guidance, and to develop a plan and budget to finance aircraft fueling infrastructure improvements to allow for the supply of unleaded aviation gasoline.
- Directs the Department of Ecology (Ecology) and local air authorities to review and approve airport operator plans and to offer technical assistance to airport operators that have not submitted an adequate lead exposure minimization plan or that does not implement its plan.
- Authorizes Ecology to adopt rules to implement, administer, and enforce requirements related to leaded aviation gasoline
- Prescribes civil penalties for violations of lead exposure minimization plan requirements, directs local air pollution control authorities created under the federal Clean Air Act to enforce requirements in areas of Washington where they have jurisdiction, and directs Ecology to enforce requirements in areas of the state without air pollution control authorities.

B. SUMMARY OF EXPENDITURE IMPACTS

Expenditure impacts of the legislation on local governments with the expenditure provisions identified by section number and when appropriate, the detail of expenditures. Delineated between city, county and special district impacts.

CHANGES IN EXPENDITURE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

This version of the bill authorizes local air authorities to review and approve airport operator lead reduction plans, and directs them to enforce Ecology's prescribed exposure minimization requirements. Clean Air Agencies (CAA) in Washington state that operate outside of Ecology include; Benton CAA, Northwest CAA, Olympic Region CAA, Puget

Sound CAA, Southwest CAA, Spokane Regional CAA, and Yakima Regional CAA. Since enforcing Ecology's regulations and monitoring air quality already fall under the purview of current staff and agency responsibility, the fiscal impact of enforcing lead exposure requirements may be minimal. However, local air authorities would incur costs in terms of staff time to review airport operator plans that fall under their jurisdiction. The authority of a CAA usually encompasses multiple counties, meaning that a majority, if not all, of CAAs would need to review numerous airport operator plans. The amount of staff time needed to review operator plans and offer technical assistance to air operators would increase depending upon the number of plans they would have to review.

The substitute bill increases the penalty to airport operators from \$1,000 to \$10,000 per day of continued noncompliance that takes effect 30 days after an offer of technical assistance by state agencies is made to the airport operator. This would have an increased expenditure impact on local airport operators that are unable to comply with the requirements of the bill.

EXPENDITURE IMPACTS OF CURRENT BILL:

This bill would have indeterminate expenditure impacts on local governments.

Municipal airports that use leaded aviation fuel would incur costs phasing out leaded gasoline as well as implementing the other requirements outlined in this legislation. Airport operators would be required to submit and implement a plan to minimize lead exposures based on WSDOT's guidance on best practices. They would also be required to develop a plan and budget to finance aircraft fueling infrastructure improvements to allow for the supply of unleaded aviation gasoline on the same timeline as the phase-out of leaded gasoline. These requirements would incur costs in the form of increased staff time for consulting with Ecology and drafting, reviewing and implementing these plans. The Washington Public Ports Association states that there would be significant costs to complying with the infrastructure changes required by this bill, as well as costs for reporting. Of the 35 airports owned by port districts, 30 either sell or make fuel available through the port itself or private entities.

According to the Port of Seattle, impacts on the Seattle-Tacoma International Airport would be minor, since most of their flights are commercial, which do not use leaded fuel, rather than general aviation. General aviation uses leaded fuel for certain aircraft for operational safety purposes. For some aircraft, if Tetraethyl Lead (TEL) is not added to the fuel, then the octane would be too low for their engines, thus resulting in engine failure. Aircraft that use leaded fuel operate a multitude of services, which include; agriculture, aerial surveys, law enforcement, firefighting, medical emergencies, and express freight.

If airports and airport operators are unable to comply with the requirements in this bill, they would incur costs due to civil penalties for non-compliance. Ecology assumes that 50% of the 160 airports will not submit reports. If these 80 airports do not submit reports in accordance with this legislation, each of these airports would incur a penalty of up to \$10,000. Since the civil penalty is incurred per day, this could result in costs of up to \$800,000 per day of non-compliance for municipal airports. Ecology also assumes that agencies would spend eight to sixteen hours per non-compliant airport consulting with them on reporting. If professional staff at a city or county government that operates a municipal airport consulted with agencies to comply with reporting requirements, this would cost approximately \$66 per hour, with benefits and overhead included. For each employee, this consultation would cost between \$528 and \$1,056 depending on the number of hours required for consultation, as assumed by Ecology. Per Ecology's estimates, if 80 airports are required to consult with them and other agencies, this would result in costs ranging from \$42,240 to \$84,480.

CALCULATIONS

Penalty Costs per Day:

1/2 *160 = 80 airports
Daily Penalty: \$10,000
80*10,000 = \$800,000 per day in civil penalties

Consultation Costs:

Average hourly wage, with benefits & overhead: \$66/hour
Hours per consultation: 8-16
66*8 hours = \$528 per airport
66*16 hours = \$1,056 per airport
80*528 = \$42,240
80*1,056 = 84,480

Local governments that operate municipal airports would also incur costs for attending stakeholder meetings hosted by Ecology. Ecology assumes that they would hold two to three single-day stakeholder meetings between July, 2023 and July, 2024. For discussion purposes, if these meetings are held in Olympia, the Local Government Fiscal Note Program’s Travel Calculator estimates that a representative from Seattle would incur \$334 in expenses for a single meetings, including mileage reimbursement, hotel costs and a per diem. Total costs per representative would depend upon the number of meetings. Per Ecology assumptions, if there were two stakeholder meetings, it would cost the Seattle representative \$667, and if there were three meetings, it would cost the representative \$1,001. Costs would vary by the number of representatives and how far they would have to travel. For example, it would cost a representative from Spokane \$850 for a single stakeholder meeting. The more local representatives that attend, the higher the cost to local governments for attending stakeholder meetings. However, it is unknown how many municipal airport representatives would attend these meetings, or if remote (online) participation would be an option, thus costs for attending stakeholder meetings would be indeterminate.

C. SUMMARY OF REVENUE IMPACTS

Revenue impacts of the legislation on local governments, with the revenue provisions identified by section number, and when appropriate, the detail of revenue sources. Delineated between city, county and special district impacts.

CHANGES IN REVENUE IMPACTS BETWEEN THIS VERSION AND PREVIOUS BILL VERSION:

This version of the bill eliminates the restrictions on the sale of leaded aviation gasoline that were present in the original bill. This would decrease the revenue impacts of the current bill, since it would maintain the status quo for leaded fuel sales. Of the airports owned by port districts, 30 sell or make fuel available through the port itself or private entities. It is difficult to determine what the loss of revenue would have been if a ban had been instated, due to variability in the volume sold and method of sale for leaded gasoline, as well as the total number of local airports (not just those owned by port districts) that sell leaded gasoline. Due to these uncertainties, it is unknown how much revenue would be restored in comparison to the original version of the bill, given that the sale of leaded gasoline would maintain status quo.

REVENUE IMPACTS OF CURRENT BILL:

This bill would have indeterminate revenue impacts on local governments.

There is the potential for airports to increase fares in order to offset increased costs. However, since it is unknown how many airports in Washington use or sell leaded fuel, and the costs for phasing-out leaded gasoline are unknown, revenue impacts are indeterminate.

SOURCES

Department of Commerce, Energy Division
Department of Ecology
Department of Transportation (WSDOT)
Federal Aviation Administration
House Bill Report, SHB 1554, Environment & Energy Committee, (2023)
House Bill Analysis, HB 1554, Environment & Energy Committee, (2023)

Local Government Fiscal Note, HB 1554, (2023)

Local Government Fiscal Note Program Travel Calculator, (2023)

Local Government Fiscal Note Program Unit Cost Model, (2023)

Revised Code of Washington: RCW 43.21B.110; RCW 43.21B.300; 43.70 RCW; 70A RCW; 70A.15 RCW

Port of Seattle

Washington Public Ports Association