

## Background History on Avgas Endangerment Finding Petition

The August 2021 Earthjustice petition is the latest step in a years-long effort to motivate the EPA to adopt and enforce common-sense controls on lead in the environment.

Earthjustice and the Golden Gate University Environmental Law and Justice Clinic filed an earlier petition requesting an avgas endangerment finding in April 2014 on behalf of Friends of the Earth, Physicians for Social Responsibility and Oregon Aviation Watch. In response to the petition the EPA stated, "...we are currently planning to issue a proposed endangerment finding in 2017. This proposed finding will then undergo public notice and comment. After evaluating comments on the proposal, we plan to issue a final endangerment finding in 2018."<sup>1</sup>

Though 2018 has come and gone, the EPA continued to engage in postponement and delay. As a result, between 2014 and 2021, millions of U.S. residents were potentially harmed by the 3500 tons of lead emissions released into the atmosphere by the aviation sector during this seven-year timeframe. Every day of delay puts additional people at risk of potentially irreparable harm.

Friends of the Earth (FoE) first asked the EPA to regulate leaded aviation fuel in 2006 but the agency declined. In a notice to sue EPA for inaction, FoE, represented by Earthjustice and the Golden Gate University Environmental Law and Justice Clinic, stated, "...EPA estimates that approximately 14.6 billion gallons of leaded avgas were consumed between 1970 and 2007, emitting approximately 34,000 tons of lead."<sup>2</sup> Factoring in the roughly 450 to 500 tons emitted annually by the aviation industry in the ensuing years, a total of 41,000 tons of lead was continuously released by piston-engine aircraft over the homes and neighborhoods of U.S. residents during the past 50 years – an alarming and astonishing amount of a probable carcinogen known to have potentially irreversible negative health impacts even at very low doses.

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<sup>1</sup> EPA Response Letter to Avgas Petition. (1/23/2015). Last accessed online on 01/31/2022 at <https://earthjustice.org/sites/default/files/files/EPA%20Response%20Letter%20to%20AVGAS%20Petition%201-23-15.pdf>.

<sup>2</sup> Conservation Group Pressures EPA to Get the Lead Out of Aviation Fuel. Earthjustice Press Release. (5/26/2011). Last accessed online on 01/31/2022 at <https://earthjustice.org/news/press/2011/conservation-group-pressures-epa-to-get-the-lead-out-of-aviation-fuel>.