

**From:** Philip Mandel  
**To:** [HTP Exhibits](#)  
**Subject:** HB 2109 -- House Committee on Transportation Policy, hearing date (2/22/17)  
**Date:** Friday, February 17, 2017 5:39:50 PM

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Regarding HB 2109 which would prohibit selling, dispensing or using aviation fuel that contains lead or lead compounds after January 1, 2022.

Meeting date February 22, 2017

Hon. Chair and House Committee on Transportation Policy,

My name is Philip Mandel. I reside in Washington County at 6135 SW Erickson Ave, Beaverton 97008. I am a licensed pilot with a commercial pilot certificate, instrument rating, and flight instructor certificate. I am a member of Oregon Pilots Association (OPA), Aircraft Owners and Pilots Association (AOPA), and Experimental Aircraft Association (EAA). I have owned and operated no fewer than nine airplanes which I either owned or co-owned since 1981, although these days I am currently airplane-less.

I am deeply concerned about HB 2109 and urge you to vote "No" and to decline to move it forward.

The bill would make it illegal to use, sell, or possess leaded aviation fuel after January 1, 2022. This attempts to solve a problem that does not actually exist. In the process, it will inflict financial harm on a population that has no control over the availability of a non-leaded option for aircraft fuel ("Avgas") as of that date.

Pilots and the FAA have long cooperated 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. This is 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 in the environment needs to be reduced. The FAA has decreed that an unleaded replacement fuel must be available in 2022, but the question is this: 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. It may not arrive in Oregon tanks for purchase by Jan 1, 2022, even if legislated. Science, manufacturing, and distribution only move as fast as they can.

HB 2109, by making it illegal to provide or use necessary fuel for aircraft used in agriculture, pipeline survey, search and rescue, firefighting, emergency services, the critical flight training needed to replenish our graying 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.

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, leaded Avgas 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 already 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 sale and possession illegal when purchase of the unleaded product is available. HB 2109 is simply a premature bill, and I request that you do not pass

this bill at this time.

Thank you for your consideration. Please let me know if you have any questions I can address for you.

Regards,

Philip Mandel  
Beaverton OR  
[\(503\) 887-0889](tel:(503)887-0889)  
[phmand@gmail.com](mailto:phmand@gmail.com)