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Leaded Avgas

COMMUNITIES, ENV. GROUP CRITICIZE FAA'S DRAFT TRANSITION PLAN TO UNLEADED FUEL

FAA's Draft Transition Plan to Unleaded Aviation Gasoline "does little to ensure that the nation's piston-engine fleet will transition to unleaded avgas by 2030 and that individuals around the country will be protected from ongoing exposures to harmful lead emissions," a coalition of 24 community and environmental groups led by the environmental law organization Earthjustice asserted in comments to the agency.

The Earthjustice coalition told FAA that its draft transition plan "falls short in creating an actionable framework to facilitate the transition away from leaded avgas. Rather than exercise its regulatory authority to ensure piston-engine aircraft transition to unleaded alternatives by 2030, the Federal Aviation Administration relies on a passive market-driven approach and leaves open the possibility that the fleet will not transition until after that date.

"The Draft Plan also misrepresents the legal obligations of airport owners and operators under the *FAA Reauthorization Act*. And it fails to recognize the critical role that communities most affected by the continued use of leaded avgas must play in the transition.

"FAA should correct its approach and take all available measures to ensure that piston-engine aircraft stop using leaded avgas by no later than the end of 2030," the coalition told FAA.

The coalition's assertion that FAA's plan for transitioning to unleaded avgas must be revised also was made by the Aviation Impacted Communities Alliance (AICA), which reflects the perspectives of aviation-impacted communities nationwide.

FAA Must Include Regulatory Standards in Transition Plan

Earthjustice stressed that although FAA's Draft Plan recognizes that "[f]ederal regulations will be necessary to eliminate the use of 100LL," the approach outlined there

makes clear that FAA has no concrete plan to use its regulatory authority to ensure there is a swift and complete transition to unleaded avgas by no later than 2030.

“This approach is unacceptable given that FAA is currently under an unfulfilled legal obligation [imposed by federal aviation fuel standards at 49 U.S.C. § 44714] to promulgate standards for leaded avgas and [by Section 827 of the *FAA Reauthorization Act of 2024*] to “take such actions as shall be necessary” under its authority to safely “eliminat[e]... the use of leaded aviation gasoline by piston-engine aircraft by the end of 2030.”

“As a result of EPA finalizing an endangerment finding for leaded avgas in 2023, both EPA and FAA are required by statute to set standards to address lead emissions from piston-engine aircraft. Despite this obligation, neither EPA nor FAA has released any regulatory proposals or outlined next steps with any specificity. In the Draft Plan, FAA nods at its duty to set fuel standards, but it identifies no concrete plans for doing so. Indeed, it suggests that it might not even set the standards it is required by law to set and that it recognizes elsewhere will be ‘necessary’ to eliminate the use of 100LL.

“Instead of using its regulatory authority to set fuel standards for avgas to “control or eliminate” lead emissions, FAA takes a passive approach to the transition from unleaded avgas, repeatedly asserting that the market will drive the timing of the transition.

“To the extent FAA points to the possibility of taking regulatory action, it suggests that any regulation would come on the heels of an already far-along, market-driven transition, rather than as a tool to drive the the transition.

“It ‘anticipate[s]’ that any rulemaking process would start at some undefined point in Phase 2 of the transition – which is expected to continue through 2028 – and asserts that “[e]xact timing of rulemaking activities cannot be determined until the transition has progressed.” Given the typical years long timeline for administrative rulemaking – a process that FAA recognizes includes initiation, proposing a rule, receiving public comment on the proposal, responding to those comments, and then finalizing a rule – it is difficult to see how a rulemaking process initiated in 2028 would do anything to spur faster adoption of unleaded alternatives, rather than just codify an uncertain market-driven status quo on the timeline the market dictates.”

Communities Must Be Among Key Stakeholders

Earthjustice also told FAA that it “should revise the Draft Plan to include affected communities as key stakeholders with a collaborative role in the transition.

“As set forth in comments from the Aviation-Impacted Communities Alliance, FAA should add “Affected Community Groups” to the table of key stakeholders and outline their role as one of proactive collaboration, including collaborating with FAA on implementation planning and airport prioritization for the transition, as well as participating in the development and review of education and public-health materials.

“This collaboration is vital to ensuring that any transition plan is responsive to the concerns of communities on the ground who are most affected by the continued use of leaded avgas.”

Earthjustice said FAA should revise its Draft Plan to:

- Expand its discussion of the adverse health effects from exposure to lead emissions from piston-engine aircraft operating on leaded avgas, which underscores the need for a swift transition.
- Outline how it will use its regulatory authority to drive the transition to unleaded avgas by no later than 2030, instead of relying on a market-driven approach.
- Clarify that airport owners and operators are not required to continue providing leaded avgas and may voluntarily switch their fuel supply to unleaded avgas, so long as they do not prohibit the sale of 100LL by a third party.
- Add “Affected Community Groups” as a key stakeholder and outline how FAA will collaborate with these groups during the transition.

‘It’s Past Time to Make Change’

Earthjustice reminded the FAA that the federal government “has long recognized that any amount of lead in people’s bodies is linked to serious, often irreversible, health effects. And yet, some 175,000 piston-engine aircraft across the country are still permitted to use leaded aviation gasoline (‘avgas’) even though there are approved unleaded alternatives for use in nearly all piston-engine aircraft.

“For far too long, millions of people living, working, and going to school near general aviation airports have been exposed to toxic lead emissions from these aircraft. It is past time to make a change.”

Oregon Aviation Watch, which is part of the Earthjustice coalition, told FAA that the agency maintains that it “has supported technical efforts for unleaded fuel development and deployment since the early 1990’s” (see 3.1.1 on pg. 14 of the Transition Plan).

“Though 30 years have elapsed since the FAA commenced these efforts, during which time every country on the planet banned lead in automotive fuel, the FAA still has not established regulations or clear time-lines for prohibiting lead in aviation gasoline. It stands to reason that if a predominantly market-driven approach was effective, lead would have been removed from aviation fuel decades ago.

“Moreover, there is a significant risk of failure if the transition plan is based primarily on market-forces, as this approach is being led by the very agencies, organizations and individuals that currently benefit from the status quo. Indeed, some

have been instrumental in delaying the transition to unleaded fuel despite the current availability of an FAA-approved, unleaded, drop-in replacement.

“... For far too long, the FAA has promoted the interests of pilots and airports that are willfully, knowingly and intentionally exposing residents to this pernicious neurotoxin, a situation that persists even though FAA-approved unleaded options such as General Aviation Modification Incorporated (GAMI) G100UL are currently available.

“For all the reasons put forward in this submission, Oregon Aviation Watch urges the FAA to prioritize public health and environmental considerations rather than market-driven initiatives, as their primary focus in expediting a ban on leaded aviation fuel, ideally before 2030.”

Difficulties Submitting Comments to Docket

Oregon Aviation Watch also told FAA about the difficulties that community groups have had in trying to submit their comments to FAA’s docket seeking public input on its Draft Transition Plan to Unleaded Avgas.

“We have commented on a number of Federal Register postings in the past. In each instance there was a straightforward process for leaving public comments. In addition, access to previously posted comments by others was readily available. But in the case of the Transition Plan, there were a number of irregularities” [which are documented on p. 12 of Oregon Aviation Watch’s comments.]

FAA initially told ANR that all the comments submitted to the docket on its Draft Transition Plan would be made public after the docket closed on March 13. But an agency spokesman said the press office misunderstood what it was told by FAA officials and that only a summary of the docket comments would be published. The public will not be able to see the actual comments submitted.

So, ANR is publishing what comments it can gather. The full comments from the Earthjustice coalition, the AICA, and Oregon Aviation Watch are attached to the email that brought you today’s issue of ANR.

ANR is trying to get copies of comments submitted by aviation interests to balance its reporting.

Following are FAA’s answers to questions ANR posed:

Why did FAA close the docket/why can’t the public see the individual comments submitted?

Although there is no requirement for a public comment period for the Transition Plan, we invited the public to provide comments that could potentially improve the document and ensure it is a valuable resource for stakeholders. We closed the comment period to stay on track for publishing the final Transition Plan. The FAA routinely summarizes public comments on agency publications such as Policy Statements, Advisory Circulars and Technical Standard Orders.

When does the FAA plans to publish a summary of the public comments it received?

Our priority is releasing the Transition Plan. We will do that first and then release the comment summary in late 2026.

How many comments were received?

We received comments from 225 people.