

1 HOGAN LOVELLS US LLP
Trenton H. Norris (CA Bar No. 164781)
2 David M. Barnes (CA Bar No. 318547)
Four Embarcadero Center, 35th Floor
3 San Francisco, CA 94111-4024
Telephone: 415.374.2300
4 Facsimile: 415.374.2499
5 trent.norris@hoganlovells.com
david.barnes@hoganlovells.com

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Deputy Clerk

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7 Attorneys for Settling Defendants

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9 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF ALAMEDA**

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12 CENTER FOR ENVIRONMENTAL
HEALTH,

13
14 Plaintiff,

15 v.

16 AERODYNAMIC AVIATION, *et al.*,

17 Defendants.

Case No. RG-11-600721

Hon. Somnath Raj Chatterjee

**DECLARATION OF JEFFREY
SOULE IN SUPPORT OF
DEFENDANTS' OPPOSITION TO
MOTION TO ENFORCE AND
MODIFY CONSENT JUDGMENT**

Date: February 25, 2025

Time: 01:00 p.m.

Reservation Number: 690015831804

Complaint Filed: October 20, 2011

1 **DECLARATION OF JEFFREY SOULE**

2 I, Jeffrey Soule, declare:

3 1. I am a general aviation (“GA”) mechanic, pilot, and airplane owner. . I submit
4 this declaration in support of Settling Defendant’s Opposition to Plaintiff Center for
5 Environmental Health’s (“CEH”) Motion to Enforce and Modify Consent Judgment in the above-
6 captioned matter. I have personal knowledge of the matters set forth herein. If called and sworn
7 as a witness, I could and would testify competently thereto.

8 2. I am a U.S. Federal Aviation Administration (FAA)-licensed mechanic with
9 Airframe & Powerplants and Inspection authorization (“A&P IA”); I have worked as an aircraft
10 mechanic for over 27 years. I also own *Norcal Aviation Services* at Reid-Hillview Municipal
11 Airport of Santa Clara County, CA (“Reid-Hillview”), where I exercise my mechanics license and
12 repair, service, and inspect general aviation (GA) aircraft. I have also earned a FAA-issued
13 Private Pilots license, with an instrument rating.

14 3. To the best of my knowledge, the General Aviation Modifications, Inc. (“GAMI”)
15 Supplemental Type Certificate (STC) SA01967WI became available in 2022 to many GA pilots
16 to use GAMI’s G100UL unleaded aviation gasoline (“avgas”). I have personally installed the
17 STC on approximately five airplanes at Reid-Hillview, which is accomplished by placing the
18 GAMI G100UL sticker by the airplane’s fuel caps and completing the necessary logbook
19 endorsements.

20 4. The G100UL is the only high-Octane fuel available to Reid-Hillview because the
21 airport stopped selling 100 Low Lead (“100LL”). During the period where 100LL was no longer
22 sold, airplanes with lower Octane requirements could use the new Swift 94 Unleaded (“UL 94”)
23 avgas; however, airplanes with higher performance engines that required a high-Octane fuel (i.e.,
24 100LL) could not obtain it at Reid-Hillview.

25 5. Since the G100UL was first offered for sale at Reid-Hillview, I am personally
26 aware of several airplanes that experienced a range of problems after it was first used, include
27 those described, but not limited to, those herein.

28 **1975 Piper PA-32, registration N7942C**

1 Attached hereto as **Exhibit B** is a true and correct copy of the registration details for N17738,
2 which is publicly available at: <https://registry.faa.gov/aircraftinquiry/Search/>. N17738 is powered
3 by a Continental Motors IO-520 piston engine.

4 12. I have performed inspections, services, and repairs to N17738 for approximately
5 ten years. During this time, I have found the airplane to be mechanically sound. The GAMI STC
6 SA01967WI on N17738 on November 2, 2024.

7 13. To the best of my knowledge, Mr. Lambert first purchased and filled N17738 with
8 the GAMI G100UL avgas circa November 2024. Circa December 2024, he informed me that he
9 experienced high exhaust gas temperatures (EGT) while in flight.

10 14. On an unknown date, I inspected N17738 and observed an injector to be clogged
11 with a chunk of an unknown material, of unknown origin, in it. I also found the spark plugs to be
12 covered in black soot. I subsequently cleaned the injector, removed the chunk, and cleaned it with
13 the use of an ultrasonic injector cleaner; however, this did not remove all of the unknown
14 deposits. I thus had to use a piece of safety wire to scrape the deposits off of the injector. Having
15 to use a piece of safety wire to scrape deposits off of an injector is not a normal occurrence.

16 15. On an unknown date, Mr. Lambert informed me that he observed two engine
17 cylinders did not function during a pre-flight engine run-up procedure. I again conducted an
18 inspection of the engine and visually observed the Number 2 and Number 4 cylinder injectors to
19 be totally clogged with an unidentified black deposit. I attempted to clean the injector with the use
20 of the ultrasonic injector cleaner, but again this did not work and I was forced to physically scrape
21 deposits off of it. In my 27 years as an aircraft mechanic, I have never observed a deposit of this
22 nature, and I am still unsure what this deposit is.

23 16. On February 11, 2025, Mr. Lambert asked me to again inspect N17738 after he
24 discontinued a flight because of the manner in which the airplane performed. Upon inspection, I
25 observed the spark plugs and the injectors were again covered with the same black deposit. Mr.
26 Lambert was present and observed the maintenance performed on N17738.

27 17. Also on February 11, 2025, I visually observed that the wing cork gaskets, that
28 seal the wing fuel tank access covers, appeared to leak a brown substance, which stained the wing

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area around the access cover. This access cover allows for inspections and limited repairs to the wing's internal fuel bladders. My inspection did not yield any leaks or stains on the bottom of the wing. It appears the cork gaskets were somehow compromised and allowed fuel to seep out. My mechanics and I re-torqued the bolts for the gasket and the leak has disappeared.

18. While I consider N17738 to still be in an airworthy condition, I have not ascertained the cause of N17738's engine repeated and rapid injector deposits (which during one test was again present approximately 30 minutes after the injectors had been previously cleaned and the engine was tested); however, it is my opinion as a mechanic that the G100UL fuel contributed to it. Additional testing and aircraft monitoring is warranted, which I explained to Mr. Lambert.

19. Thus far, Mr. Lambert has incurred \$880 in repair costs the inspections and repairs that I conducted.

Use of GAMI G100UL fuel

20. I am also now aware that Textron Aviation does not approve the use of G100UL in its airplanes. Attached hereto as **Exhibit C** is Textron Aviation's Single-Engine Piston Communiqué SE-P-006, dated December 19, 2024. The Textron notice covers all single-engine Cessna and Beechcraft airplanes, including N17738.

21. Based on my personal observances, coupled with the manufacturer's recommendations, I must recommend that my customers discontinue or not start using the GAMI G100UL fuel because of potential safety and/or airworthiness issues, until such time that more is known about its material compatibility and engine performance issues.

I declare under penalty of perjury of the laws of the state of California that the foregoing is true and correct. Executed this 17th day of February, 2025, at San Jose, CA.


By: 
Jeffrey Soule

EXHIBIT A

FAA REGISTRY

N-Number Inquiry Results

N-NUMBER ENTERED: 7942C

AIRCRAFT DESCRIPTION

Serial Number	32R-7680069	Status	Valid
Manufacturer Name	PIPER	Certificate Issue Date	05/26/2021
Model	PA-32R-300	Expiration Date	05/31/2028
Type Aircraft	Fixed Wing Single-Engine	Type Engine	Reciprocating
Pending Number Change	None	Dealer	No
Date Change Authorized	None	Mode S Code (base 8 / Oct)	52544602
MFR Year	1975	Mode S Code (Base 16 / Hex)	AAC982
Type Registration	LLC	Fractional Owner	NO

REGISTERED OWNER

Name	N4143W LLC		
Street	110 WORCESTER LOOP		
City	LOS GATOS	State	CALIFORNIA
County	SANTA CLARA	Zip Code	95030-6322
Country	UNITED STATES		

AIRWORTHINESS

INFORMATION PROVIDED HERE SHOULD NOT BE USED TO DETERMINE THE AIRWORTHINESS OF AN AIRCRAFT.

Refer to 14 CFR Parts 39, 43, 91, and FAA Order 8130.2 for airworthiness regulations and guidance.

Type Certificate Data Sheet	None	Type Certificate Holder	None
Engine Manufacturer	LYCOMING	Classification	Standard
Engine Model	TI0-540 SER	Category	Normal
A/W Date	12/15/1975	Exception Code	No
<p>The information contained in this record should be the most current Airworthiness information available in the historical aircraft record. However, this data alone does not provide the basis for a determination regarding the airworthiness of an aircraft or the current aircraft configuration. For specific information, you may request a copy of the aircraft record at https://aircraft.faa.gov/e.gov/ND/</p>			

OTHER OWNER NAMES

None

TEMPORARY CERTIFICATES

None

FUEL MODIFICATIONS

None

DEREGISTERED AIRCRAFT

Deregistered Aircraft 1 of 1			
Aircraft Description			
Serial Number	382	Certificate Issue Date	11/16/1960

Manufacturer Name	DEHAVILLAND	Mode S Code (base 8 / oct)	52544602
Model	BEAVER DHC-2	Mode S Code (base 16 / hex)	AAC982
Year Manufacturer	None	Cancel Date	12/17/1970
Reason For Cancellation	Exported	Export To	CANADA
Type Registration	Corporation		
Aircraft Registration Prior to Deregistration			
Name	WORLD WIDE HELICOPTERS INC		
Street	272 NAUGATUCK AVE		
City	MILFORD		
State	CONNECTICUT	Zip Code	06460
County	NEW HAVEN		
Country	UNITED STATES		
Deregistered Airworthiness			
Engine Manufacturer	None	Classification	Unknown

Engine Model	None	Category	None
A/W Date	None	Exception Code	No
Deregistered Other Owner Names			
None			

The duration of aircraft registration certificates has been extended up to 7 years. The Registry will be issuing revised certificates in batches based on the former expiration date. For verification purposes, even though the expiration date on the registration certificate may not match the expiration date in the FAA Aircraft Registration database, any registration certificate displaying an expiration date of January 31, 2023 or later is still valid. This applies to all foreign Civil Aviation Authorities or anyone else with a verification need.

You are accessing a U.S. Government authorized information system, which includes (1) this computer, (2) this computer network, (3) all computers connected to this network, (4) all devices and storage media attached to this network or to a computer on this network, and (5) all cloud services and hosting environments supporting this information system. This information system is provided for U.S. Government-authorized use only.

Unauthorized or improper use of this system may result in disciplinary action, as well as civil and criminal penalties.

By logging in and using this information system, you understand and consent to the following:

- ***You have no reasonable expectation of privacy regarding communications or data transiting or stored on this information system.***
- ***At any time, and for any lawful Government purpose, communication between the user and this information system, data transiting to/from the system, or stored on this system is subject to monitoring, interception, and search.***

- ***Any communications or data transiting or stored on this information system may be disclosed or used for any lawful Government purpose.***

EXHIBIT B

FAA REGISTRY

N-Number Inquiry Results

N-NUMBER ENTERED: 17738

AIRCRAFT DESCRIPTION

Serial Number	CE-702	Status	Valid
Manufacturer Name	BEECH	Certificate Issue Date	07/07/2015
Model	F33A	Expiration Date	07/31/2028
Type Aircraft	Fixed Wing Single-Engine	Type Engine	Reciprocating
Pending Number Change	None	Dealer	No
Date Change Authorized	None	Mode S Code (base 8 / Oct)	50233020
MFR Year	1977	Mode S Code (Base 16 / Hex)	A13610
Type Registration	Individual	Fractional Owner	NO

REGISTERED OWNER

Name	LAMBERT MICHAEL C		
Street	6178 SPRINGER WAY		
City	SAN JOSE	State	CALIFORNIA
County	SANTA CLARA	Zip Code	95123-5133
Country	UNITED STATES		

AIRWORTHINESS

INFORMATION PROVIDED HERE SHOULD NOT BE USED TO DETERMINE THE AIRWORTHINESS OF AN AIRCRAFT.

Refer to 14 CFR Parts 39, 43, 91, and FAA Order 8130.2 for airworthiness regulations and guidance.

Type Certificate Data Sheet	None	Type Certificate Holder	None
Engine Manufacturer	CONT MOTOR	Classification	Standard
Engine Model	IO 520 SERIES	Category	Utility
A/W Date	02/14/1977	Exception Code	No
<p>The information contained in this record should be the most current Airworthiness information available in the historical aircraft record. However, this data alone does not provide the basis for a determination regarding the airworthiness of an aircraft or the current aircraft configuration. For specific information, you may request a copy of the aircraft record at https://aircraft.faa.gov/e.gov/ND/</p>			

OTHER OWNER NAMES

None

TEMPORARY CERTIFICATES

None

FUEL MODIFICATIONS

None

DEREGISTERED AIRCRAFT

Deregistered Aircraft 1 of 1			
Aircraft Description			
Serial Number	4582	Certificate Issue Date	10/15/1937

Manufacturer Name	WACO	Mode S Code (base 8 / oct)	50233020
Model	ZGC-7	Mode S Code (base 16 / hex)	A13610
Year Manufacturer	1937	Cancel Date	10/26/1937
Reason For Cancellation	Cancelled	Export To	None
Type Registration	Corporation		
Aircraft Registration Prior to Deregistration			
Name	E W WIGGINS AIRWAYS INC		
Street	OP BOX 1089		
City	PROVIDENCE		
State	RHODE ISLAND	Zip Code	02907
County	PROVIDENCE		
Country	UNITED STATES		
Deregistered Airworthiness			
Engine Manufacturer	None	Classification	Unknown

Engine Model	None	Category	None
A/W Date	None	Exception Code	No
Deregistered Other Owner Names			
None			

The duration of aircraft registration certificates has been extended up to 7 years. The Registry will be issuing revised certificates in batches based on the former expiration date. For verification purposes, even though the expiration date on the registration certificate may not match the expiration date in the FAA Aircraft Registration database, any registration certificate displaying an expiration date of January 31, 2023 or later is still valid. This applies to all foreign Civil Aviation Authorities or anyone else with a verification need.

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EXHIBIT C



Single-Engine Piston Communiqué

Communiqué SE-P-006
December 19, 2024

ATA 28 – Use of Unleaded Fuels Not Yet Approved by Textron Aviation or Engine Manufacturers

Affected Models:

All Single Engine Cessna and Beechcraft models that utilize aviation gasoline.

Textron Aviation has been working with FAA, fuel manufacturers and distributors, airports, and other Original Equipment Manufacturers for a number of years in an effort to identify, test and certify alternative fuels to replace leaded fuels in order to eliminate lead-based additives from aviation fuel. For example, Textron Aviation has previously approved UL91 and UL94 (manufactured under ASTM D7547) for use in certain Textron Aviation aircraft.

As a part of these ongoing efforts, Textron Aviation has been actively involved in and providing technical and in-kind support to both the FAA Piston Engine Aviation Fuels Initiative (PAFI) and in the Eliminate Aviation Gasoline Lead Emissions (EAGLE) programs. Each of these programs seeks to provide comprehensive testing of candidate replacement fuels for engine performance, materials compatibility, and operational safety.

Textron Aviation is aware that there are certain aviation fuels that have been granted Supplemental Type Certification (STC) for use in certain aircraft engines through the FAA in a process that is separate and apart from the PAFI and EAGLE programs. For example, the GAMI G100UL fuel received such an STC approval. Because the STC process, unlike the PAFI and EAGLE programs, does not involve broad aviation industry coalition participation, neither Textron Aviation nor its engine suppliers, Lycoming and Continental Motors, have had the opportunity to conduct the type of comprehensive and wide-ranging performance, compatibility and operational testing with respect to that fuel needed to provide a basis for approval of the fuel for use in Textron Aviation's current and legacy fleet of Cessna and Beechcraft aircraft.

Textron Aviation has been made aware that at least one other aircraft OEM has begun more comprehensive testing of GAMI G100UL in their airframes. Textron Aviation has also been made aware of reports indicating that two different OEMs have been advised of reported issues with fuel tank sealant degradation following exposure of those sealants to G100UL. These kinds of reported materials compatibility issues give rise to concerns about the continuing airworthiness of aircraft that may be operated on fuels that have not yet been comprehensively tested by Textron Aviation and/or by its engine suppliers.

The continued airworthiness and operational safety of our products and their reliable service to our customers and their passengers is of paramount importance to Textron Aviation. For these reasons, Textron Aviation has not yet approved G100UL for use in its piston engine products. Such approval can only be made by Textron Aviation if the fuel is approved by its engine

suppliers and has also undergone testing to confirm its airframe fuel systems performance, compatibility, and operational safety.

Please refer to applicable Textron Aviation approved Owner's Manuals, Pilot Operating Handbooks, Aircraft Flight Manuals, placards, and Service Bulletins SEB-28-04R1 or MEB-28-01 (or later revisions) for a listing of fuels that are Textron Aviation approved for use in your aircraft.