MEMORANDUM OF SUPPORT
Ban Coal Tar in Pavement Products

A.1304 – Rosenthal
S.6308 - Metzger

AN ACT to amend the environmental conservation law, in relation to prohibiting coal tar in pavement products

JUSTIFICATION
Coal tar sealants are commonly used in parking lots to “beautify” asphalt every few years. It contains high amounts of PAHs (polycyclic aromatic hydrocarbons), a known carcinogen. Within just a month the coal tar sealant is worn away and scraped off by car tires, and pieces are washed into storm drains and pollute rivers, lakes, and streams.

PAHs build up in soil at the sea floor, and can be deadly to benthic invertebrates. Fish that are exposed to PAH contamination have exhibited fin erosion, liver abnormalities, cataracts, and immune system impairments leading to increased susceptibility to disease. Coal tar sealants also affect human health. People can be exposed to toxic PAHs in the sealcoat through skin contact, inhalation of wind-blown particles, and inhalation of fumes that volatilize. Studies have found that homes adjacent to parking lots that used coal tar sealants had house dust with elevated levels of PAHs.

A USGS study monitored stormwater runoff at parking lots using coal tar sealants and parking lots that did not. The study found that PAH concentrations from parking lots that used coal tar sealant were 65% higher than lots that did not use the sealant. There are viable alternatives to coal tar sealant, including asphalt-based sealants. Companies such as Home Depot and Lowes have removed these products from their shelves. Numerous local and state governments have banned coal tar sealants, including Suffolk County, NY, Washington, D.C., and the State of Washington.

This legislation would ban the sale of coal tar in pavement products (24 months after becoming law) and use of coal tar pavement products on driveways and other parking areas (48 months after becoming law). The coal tar ban will also apply to any airports not required under federal law to use a coal tar pavement product.

CITIZENS CAMPAIGN FOR THE ENVIRONMENT SUPPORTS
A. 1304/S.6308 – Prohibit Coal Tar in Pavement Products

Citizens Campaign for the Environment is an 80,000 member non-profit, non-partisan advocacy organization that works to empower communities and advocate solutions that protect public health and the environment.

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