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**Committee: Environment and Transportation**

**Testimony on: HB77 “Environment - Application of Coal Tar Pavement Products – Prohibitions (Safer Sealant Act of 2021)”**

**Position: Support**

**Hearing Date: January 20, 2021**

The Maryland Chapter of the Sierra Club supports HB77, which would prohibit a person from applying a coal tar sealant to pavement or a similar surface if it contains specified high levels of polycyclic aromatic hydrocarbons (PAH).

Pavement sealant products containing coal tar are highly hazardous to public health and the environment. Extensive research by the U.S. Geological Survey (USGS) has confirmed the dangers of coal tar sealants.<sup>1</sup> The coal tar ingredient in pavement sealants contains high levels of PAH which can cause rashes, skin irritations, cancers, mutations, birth defects and death. Workers employed to apply these sealants, pregnant women and young children are particularly susceptible. PAH is also toxic to aquatic animals. Coal tar doesn't remain just where applied but is distributed throughout the environment by weathering, friction from car tires and foot traffic. PAH particles then travel in air-borne dust and water run-off.

PAH levels in coal tar sealants are 1000 times higher than in asphalt-based products. Sealant manufacturers' safety data sheets on products such as GemSeal's PolyTar warn that the PAHs contained in their products are classified as a Category 1A *known* carcinogen. Selling or using coal tar sealants which are known to cause significant health and environmental harms is unnecessary because many product alternatives, such as asphalt and latex based sealants, are widely available at comparable prices. Due to growing concerns and the availability of much safer and affordable substitutes, Ace Hardware, Home Depot, Lowe's and United Hardware stopped selling coal tar sealants at least seven years ago.<sup>2</sup>

Coal tar sealant restrictions are already in effect in Montgomery, Prince George's, Anne Arundel and Howard Counties. The Safer Sealant Act of 2021 is an opportunity to extend vital health and environmental protections for the benefit of all Marylanders. We urge the committee to issue a favorable report on this legislation.

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<sup>1</sup> [“Coal-Tar-Based Pavement Sealcoat, PAHs, and Environmental Health,”](#) USGS Fact Sheet 2016-3017, April 2016

<sup>2</sup> [“Toxic Driveways? Cities Ban Coal Tar Sealants,”](#) Wendy Koch, USA Today, 16-Jun-2013

Founded in 1892, the Sierra Club is America's oldest and largest grassroots environmental organization. The Maryland Chapter has over 75,000 members and supporters, and the Sierra Club nationwide has over 800,000 members and nearly four million supporters.

