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Committee: Education, Health and Environmental Affairs
**Testimony on: SB 372 - “Environment – Coal Tar Sealant Products – Prohibitions
(Safer Sealant Act of 2022)”**
Position: Favorable
Hearing Date: February 8, 2022

The Maryland Chapter of the Sierra Club supports SB 372 to prohibit the supplying, selling, manufacturing, applying, or soliciting the application of a high-PAH coal tar sealant product to a driveway or parking area in the State unless the product is labeled in accordance with standards adopted by the Maryland Department of the Environment (MDE). Labeling standards as well as regulations to implement the standards must be developed by MDE for both high and low-PAH coal tar sealant products.

Under the bill, a county, municipality, or unit of local government in the state may not enact and enforce standards or requirements on coal tar sealant products that are any less stringent than the state’s regulations but may enact or enforce regulations that are more stringent. A person who violates state regulations regarding coal tar sealants would be subject to a civil penalty not exceeding \$2,500 for each violation; each day a violation occurs in a separate violation. All penalty payments would be made into the Maryland Clean Water Fund.

Coal tar is a byproduct in the making of coking coal for steelmaking and other industrial uses. Pavement sealant products containing coal tar are highly hazardous to public health and the environment. The coal tar ingredient in pavement sealants, polycyclic aromatic hydrocarbons (PAH), can cause rashes, skin irritations, cancers, mutations, birth defects and death. Workers employed to apply these sealants, as well as pregnant women and young children are particularly susceptible. PAH is also toxic to aquatic animals. Coal tar does not remain just where it is applied but is distributed throughout the environment by weathering and friction from vehicle tires and foot traffic. PAH particles then travel in airborne dust and water runoff.

PAH levels in coal tar sealants are 1000 times higher than in asphalt-based products. Selling or using coal tar sealants is unnecessary because many product alternatives such as asphalt and latex-based sealants are safer and affordable substitutes, and are widely available. Coal tar sealant restrictions are already in effect in Montgomery, Prince George’s, Anne Arundel, and Howard Counties.

The Safer Sealant Act of 2022 provides 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 bill.

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Founded in 1892, the Sierra Club is America’s oldest and largest grassroots environmental organization. The Maryland Chapter has over 70,000 members and supporters, and the Sierra Club nationwide has over 800,000 members and nearly four million supporters.