SB1184 (Fine) | HB2443 (Gabel)

Local control of sale and use of TOXIC SEALANTS

LEGISLATION SUMMARY:
Give municipalities and counties the authority to ban the sale and use of toxic pavement sealant products.

OVERVIEW:
- Coal tar and some other sealants used on paved surfaces contain high levels of toxic polycyclic aromatic hydrocarbons (PAHs).
- Sealants wear away over time, allowing PAH particles to contaminate our homes and our environment.
- High levels of PAHs are significant threats to human health and aquatic life.
- A 2016 American Medical Association policy calls for legislation to ban the use of high PAH sealants or for mandates on the use of minimal PAH products.
- Safer alternatives exist that have 1000x lower levels of PAHs and are readily available.

BACKGROUND:
PAHs are known to be toxic, mutagenic, and carcinogenic
Exposure to high levels of PAHs, especially during early childhood, is linked to a significantly increased risk of lung, skin, bladder, and respiratory cancers. Parents are unaware of these risks and homeowners do not know they can ask for comparably-priced alternatives with significantly lower levels of PAHs.

Millions of Illinoisans are unnecessarily and unknowingly at risk
Governments representing over 22.5 million people have passed bans on coal tar sealants. The states of Washington and Minnesota, the District of Columbia, and numerous towns throughout the U.S. have banned them. In Illinois, Evanston, Wilmette, Winnetka and Highland Park have banned coal tar sealants, as have Port Barrington, North Barrington, and South Barrington. Illinois must allow municipalities to protect all citizens, but particularly our children.

Safer products are readily available and comparably priced
Asphalt-based sealants are alternatives to coal tar sealants and have 1000 times lower PAH levels. They are readily available at Home Depot, Lowes, and Menards, stores that no longer sell coal tar sealants.

PAHs have a pervasive negative impact on our waterways and aquatic life
Studies show coal tar sealants are the main source (42 to 94%) of toxic PAH pollution in Milwaukee streams. PAHs also contaminate stormwater detention basins, making stormwater management more expensive. Once in the ecosystem, PAHs cause severe biological defects and damage the health of aquatic organisms. Exposure to even diluted amounts can cause DNA damage and impair DNA repair. Runoff from coal tar sealant-coated pavement was 100% toxic to two commonly studied aquatic organisms, while 90% of the test organisms survived in runoff from unsealed pavement.

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PAH INFILTRATION CHART
How Toxic PAHs Contaminate Our Homes and Our Environment

Illinois must allow municipalities to protect all citizens, but particularly our children.

PAHs IN URBAN SOURCES

All concentrations in mg/kg

- Fresh asphalt: 1.5
- Weathered asphalt: 3
- Fresh motor oil: 4
- Brake particles: 16
- Road dust: 24
- Asphalt-based sealcoat: ~50
- Tire particles: 86
- Diesel engine: 102
- Gasoline engine: 370
- Used motor oil: 440
- Coal-tar-based sealcoat: ~70,000

Source: United States Geological Survey (USGS)

RESOURCES:

- American Medical Association Policy:
- Clean Water Pledge for Homeowners:
- Milwaukee Streams Contamination Research:
  [https://on.doi.gov/2ogU5JO](https://on.doi.gov/2ogU5JO)
- Model Resolution from Barrington Area Council of Governments:
- USGS 2016 Fact Sheet:
- USGS Research:
- USGS Science on Coal-Tar-Based Sealcoat and Environmental and Human Health: by Barbara Mahler, Hydrologist:
  [www.viddler.com/v/b63b7a27](www.viddler.com/v/b63b7a27)

NOTES

GRAPHIC: USGS AND AARON HICKS, CITY OF AUSTIN, TX