



AmericanCoatings  
ASSOCIATION<sup>SM</sup>

TO: The Honorable Paul G. Pinsky, Chair  
Members, Senate Education, Health, and Environmental Affairs Committee  
The Honorable Clarence K. Lam

FROM: Richard A. Tabuteau  
Pamela Metz Kasemeyer  
J. Steven Wise

DATE: March 11, 2020

RE: **OPPOSE** – Senate Bill 730 – *Environment – Sale and Application of Coal Tar Pavement Products – Prohibition*

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The American Coatings Association (ACA) is a voluntary, non-profit trade association working to advance the needs of the paint and coatings industry and the professionals who work in it. The organization represents paint and coatings manufacturers, raw materials suppliers, distributors, and technical professionals. ACA advises members and advances positions on legislative, regulatory and judicial issues, based on a thorough evaluation of issues through experience and understanding of the paint and coatings industry. On behalf of ACA, we submit this letter of **opposition** for Senate Bill 730.

Senate Bill 730 prohibits a person, beginning October 1, 2021, from selling, offering for sale, or applying to pavement or another similar surface, “coal tar” or a “coal tar pavement product.” A person who violates the bill’s prohibition is subject to a civil penalty of up to \$500 for a first offense and up to \$1,000 for a second or subsequent offense.

Refined tar-based pavement sealers are used to protect and extend the life of asphalt tripling its expected lifespan. The ban is premised on the false assertion that refined tar-based pavement sealer is the source of high percentages of Polycyclic Aromatic Hydrocarbons (PAHs) found in lakes, streams, and storm water retention ponds, even though studies show that wood burning from fireplaces and stoves are actually the largest source of PAHs at about 30%. By contrast, pavement sealant contributes less than 1% of the total. Moreover, Maryland’s Clean Water Act Section 303(d) reports found no instance of PAHs identified as a cause of impairment of water quality anywhere in the state. Furthermore, there is no evidence of any negative health impacts directly attributable to refined tar. Instead, refined tar can be found in soaps, shampoos, and creams approved for over-the-counter sales to treat skin disorders.

This proposed ban is a draconian response to false, unscientific assertions that would have a major negative impact on the refined tar industry. As such, we urge the Senate Education, Health, and Environmental Affairs Committee to give Senate Bill 730 an unfavorable report.

**For more information call:**

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