



THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of HB0553**  
**Sale and Application of Coal Tar Pavement Products - Prohibition**  
Testimony by Delegate Vaughn Stewart  
February 26th, 2020 • Environment and Transportation Committee

What the Bill Does

**HB0553** will put an end to the harmful and unnecessary use of pavement sealant derived from coal-tar, in order to protect public health, water quality, and wildlife. This bill would prohibit the sale and application of certain coal tar pavement products and establish penalties for violations relating to coal tar pavement products.

Why the Bill Is Important

Coal tar is a viscous substance that is derived from coal, and has been used to seal the pavement of driveways, paths, and sidewalks for decades. Unfortunately, coal-based sealcoat is hazardous to human health and wildlife because it contains large quantities of polycyclic aromatic hydrocarbons (PAHs). When coal tar sealant is used near homes, high levels of PAHs are tracked into homes near the pavement. This places the occupants at a high risk for various types of cancer. The National Cancer Institute, the Agency for Toxic Substances and Disease Registry, and the US Department of Health and Human Services have classified PAHs as carcinogenic. These agencies have found that exposure to PAHs increases risk of cancers in humans and animals, including skin, lung, kidney, bladder, and stomach cancers.

Coal tar sealants cancer risks are approximately one excess cancer per ten thousand exposed individuals. There are about 6 million people in Maryland. That means 600 cancer diagnoses in Maryland can be attributed to PAH exposure. This is alarming, considering millions of Marylanders, live in communities where coal tar sealants are frequently used. However, 4 Maryland counties have banned coal tar sealant, protecting 2.7 million people from unnecessary risk of cancer.

In addition to posing a risk to human health, coal tar sealant also runs off pavement and into waterways, impairing water quality and threatening fish and wildlife. A [sediment study](#) in 2013 by the Minnesota Pollution Control Agency found that coal-tar sealants contributed 67% of the total PAHs found in 15 metro-area stormwater ponds. High concentrations of PAHs accumulate in stormwater



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pond sediments. Researchers have found runoff from coal tar sealcoat remains toxic for months, killing fish and harming wildlife.

Why the Committee Should Vote Favorably

None of the provisions in the bill are radical; in fact, every provision is modeled after laws in other states or counties. Bans in local areas, including Washington DC (2009), Montgomery County (2012), Prince George's County (2015), Anne Arundel County (2015) and Howard County (2018), were informed by research done at the EPA and the USGS. Currently, about 45% of all Maryland residents are now under a coal tar ban, so why not ban it in the whole state?

Many other places have bans or restrictions to protect public health. There are state bans in Washington, Minnesota and Maine (effective 10/2024). There are county bans in Dane County, WI; and Suffolk, NY. In total 16 states or districts have restrictions or bans within their boundaries: CA, CT, Washington DC, IL, KS, ME, MD, MI, MN, MO, NY, NC, SC, WA, WI, TX.

Safer alternatives are readily available and already widely used. Many major retailers and regional distributors, (including Ace Hardware, Lowe's, Home Depot, and True Value), have stopped selling coal tar-based sealants. Most state Departments of Transportation no longer use coal tar-based sealants, saying they reduce asphalt life in the long run.

No Marylander should be put at risk by the harmful and unnecessary use of pavement sealant derived from coal-tar. I urge a favorable report on **HB0553**, in order to protect public health, water quality, and wildlife, and elevate Maryland to the ranks of states banning coal tar sealants.