

January 15, 2022

Delegate Vaughn Stewart
Lowe House Office Building, Room 220
6 Bladen Street
Annapolis, MD 21401

Re: HB 133 - Banning coal tar pavement sealer

Dear Delegate Stewart,

This may be my last chance to ask you to reconsider your bill that would effectively end Maryland's coal tar sealing industry. For many years, you have sponsored a bill that could put many other Marylanders and me out of business. We believe your intentions are sincere, but this legislation is misguided and will be an insignificant environmental law that will lead to genuine harm to Maryland workers.

I am the owner of SealMaster-Delmarva, a pavement sealer manufacturer in Cockeysville, Maryland, employing 22 workers with good-paying jobs with benefits. We have been in business for decades, and last year we made 634,000 gallons of coal tar sealer. In all that time, we have never been cited for health, safety, or environmental violations. Likewise, hundreds of pavement sealer contractors have operated in Maryland. After working on countless parking lots and driveways, the industry maintains an excellent reputation for health, safety, and environmental stewardship.

Unlike other products banned by this state's legislature, the Maryland pavement sealant industry has not been sued for health and safety. More remarkably, going back twenty years of worker's compensation reports, the industry has not identified one worker's compensation claim due to exposure to coal tar sealant. Despite a health, safety, and environmental record that would be the envy of many products and industries, Maryland's coal tar industry faces an existential crisis.

Over the past few years, Montgomery, Prince George's, Anne Arundel, and Howard County have effectively banned coal tar sealant application. Commercial property owners and homeowners do not know the difference between so-called "Low" and "High" PAH sealant. Moreover, knowledgeable customers are very skeptical that "Low PAH" products are worth the cost. The drop in sealcoating in Maryland decreased to the point that GemSeal Corporation closed its 30-year-old White Marsh manufacturing plant and its Rosedale storefront, eliminating 22 good-paying jobs with benefits.

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All these new bans are due to, at best, a misunderstanding of coal tar sealant's insignificance as a source of Polycyclic aromatic hydrocarbons (PAHs), and at worse, the bans are based on studies that have never been peer-reviewed. Moreover, there is little to no evidence that bans on coal tar sealants have made any difference in PAH levels in the environment.

What's ironic is that a coal sealant ban would increase repaved parking lots and driveways, which may be a much more significant source of PAHs. A commercial property owner in Maryland could sealcoat their parking lot seven (7) times before they reach the cost of repaving with new asphalt. A parking lot that is sealcoated properly every 4 to 5 years can extend its useful life to 25 years and beyond. With the current quality of asphalt being mixed in asphalt plants in Maryland today with up to 40% of recycled asphalt millings, repaving is becoming necessary in 10 to 12 years.

For all these reasons, we hope you and your colleagues will reconsider HB 113. Thank you.

Sincerely,
Tom Decker, Jr.
President
SealMaster-Delmarva

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