

Do Not Ban Safe, Effective Products

Save Pavement Industry Jobs

- **The foundation evidence against coal-based driveway sealant paper has yet to be subject to peer review.** The foundation for all anti-coal tar product legislation is a scientifically unproven 2011 paper by the US Geological Survey (USGS). In October 2021, the US District Court ruled that the USGS cannot shield its findings from FOIA requests and must hand over its data for peer review. <https://capitalappellate.com/wp-content/uploads/Law360-unbranded-DC-Circ.s-Exploratory-Data-Ruling-Is-A-Win-For-Transparency-1.pdf>
- **Pavement Sealing is a Safe Product for Industry Workers.** The Maryland pavement sealing industry has an excellent safety and environmental record. Coal tar sealant has not contributed to worker health issues, and to date, **not one worker's compensation claim against the product** has been identified in Maryland. Many have worked decades in manufacturing and/or application, and there are no reported cases of lost work or illness due to the product composition.
- **Pavement Sealing has relatively little impact on the environment.** Polycyclic Aromatic Hydrocarbons (PAHs) proliferate from dozens of natural and artificial sources, but in comparison, PAHs from pavement coatings are not significant. Banning coal tar would only be a counter-productive, symbolic victory that does not solve the PAH problem.
- **Pavement Sealing is Safer and More Cost-Effective.** Increased frequency of repaving driveways and parking lots is much more harmful to the environment. Moreover, repaving increases out-of-pocket costs to citizens and businesses.
- **The Pavement Sealing Industry is Committed to Proper Manufacturing and Application.** The best solution is to ensure proper manufacturing and application of pavement sealers in Maryland. The state should be careful not to make viable and beneficial products illegal. It would be tragic if a properly managed industry lost its jobs for a symbolic gesture.
- **The Pavement Sealing Industry Advocates a Holistic Approach to PAH Concerns.** The most holistic solution to PAH concerns is proper stormwater management. Moreover, good stormwater management solves many other issues such as trash, road debris, and other products that contribute to environmental issues, including the Chesapeake Bay. No other "solutions" come close to tackling PAH concerns than stormwater management.

- **The Pavement Sealing Industry Would Be Happy to Work with Environmental Advocates.** Advocates have not cited instances of improper management, manufacturing, or application by private companies, local & state governments, or any other organization. The industry welcomes the opportunity to review its manufacturing and product application standards & practices to ensure the safety of workers, customers, citizens, and the environment.

**The Pavement Sealing Industry is a Responsible Steward of the Environment.
Please Do Not Sacrifice Hundreds of Workers for a Symbolic Gesture.**